



**CITY OF SARATOGA SPRINGS**  
**ZONING BOARD OF APPEALS**  
□  
CITY HALL - 474 BROADWAY  
SARATOGA SPRINGS, NEW YORK 12866  
PH) 518-587-3550 FX) 518-580-9480  
WWW.SARATOGA-SPRINGS.ORG

Bill Moore, *Chair*  
Keith Kaplan, *Vice Chair*  
Adam McNeill, *Secretary*  
George "Skip" Carlson  
Gary Hasbrouck  
James Helicke  
Susan Steer  
Cheryl Grey, *alternate*  
Oksana Ludd, *alternate*

**ZBA Meeting**  
**City Council Chambers – 7:00 p.m.**

**AGENDA**

ZBA Meeting – TUESDAY, October 11, 2016

City Council Chambers – 7:00 p.m.

6:30 P.M. **Workshop**

**Salute The Flag**

**Roll Call**

**New Business**

**1. #2914 SAMES MIXED-USE BUILDING**

20 Bowman Street, area variance to convert existing one-story building to eating and drinking and add a second-story for a residential unit, seeking relief from the minimum front and side yard setbacks for the second-story addition and minimum front, side and rear yard setbacks to parking in the Tourist Related Business district.

Documents:

[2914 SAMESMIXEDUSEBUILD\\_APPREIVED\\_REDACTED.PDF](#)  
[2914 SAMESMIXED-USEBUILD\\_APP\\_REDACTED.PDF](#)

**2. #2910 PET LODGE OF SARATOGA**

vacant lands on east side of Route 9/South Broadway (tax parcel nos. 191.8-1-1-6), coordination of SEQRA review and area variance to construct a pet boarding facility and associated site work in the Tourist Related Business and Rural Residential Districts.

Documents:

[2910 PETLODGEOSARATOGA\\_APP\\_REDACTED.PDF](#)  
[2910 PETLODGEOSARATOGA\\_COUNTYRESPONSE.PDF](#)  
[2910 PETLODGEOSARATOGA\\_BUILDINSPECTDENIAL.PDF](#)  
[2910 PETLODGEOSARATOGA\\_ILUCORR9-26-16\\_REDACTED.PDF](#)

**3. #2919 MEANY/MADDEN RESIDENCE**

9 Aurora Avenue, area variance to maintain air conditioning unit; seeking relief from the minimum side yard setback requirement in Suburban Residential – 1 District.

Documents:

[2919 MEANEYMADDENRESIDENCE\\_APP\\_REDACTED.PDF](#)

**4. #2918 HABITAT FOR HUMANITY SINGLE-FAMILY**

195 Division Street, area variance for constructed changes to an existing single-family residence; seeking relief from the minimum side yard setback requirement in the Urban Residential – 2 District.

Documents:

[2918 HABITATFORHUMANITY\\_APP\\_REDACTED.PDF](#)

**5. #2920 ROSEBROOK TWO-FAMILY**

16 E. Harrison St., area variance to maintain a two-family residence; seeking relief from the minimum average lot width and minimum lot size requirements for a two-family residence in the Urban Residential – 3 District.

Documents:

[2920 ALBERTSONRESIDENCE\\_APP\\_REDACTED.PDF](#)

**Old Business**

**1. #2911 NATHAN HOME OCCUPATION**

36 Bensonhurst Avenue, area variance to construct a detached garage with second-story home occupation, seeking relief to permit a home occupation in an accessory structure, to permit habitable/finished space in an accessory structure and to exceed the maximum square footage for a home occupation in an Urban Residential – 2 District.

Documents:

[2911 NATHANHOMEOFFICE\\_APP\\_REDACTED.PDF](#)  
[2911 NATHANHOMEOFFICE\\_ADDTLMATERIALS.PDF](#)

**2. #2915 OBSTARCZYK GARAGE**

147 Spring Street, area variance to construct a detached, two-car, two-story garage, seeking relief from the minimum side yard setback and minimum distance between accessory and principal structure in the Urban Residential – 3 District.

Documents:

[2915 OBSTARCZYKGARAGE\\_APP\\_REDACTED1.PDF](#)  
[2915 OBSTARCZYKGARAGEAPP\\_ZONINGCALCS.PDF](#)  
[2915 OBSTARCZYKGARAGE\\_PLANS.PDF](#)  
[2915 OBSTARCZYKGARAGEAPP\\_SSPFCORR.PDF](#)

**3. #2916 COSTELLO GARAGE**

109 Elm Street, area variance to finish the interior of an existing detached garage, seeking relief to permit finished/habitable space in an accessory structure in an Urban Residential – 2 District.

Documents:

[2916 COSTELLOGARAGE\\_APP\\_REDACTED.PDF](#)  
[2916 COSTELLOGARAGE\\_FLOORPLAN.PDF](#)

4. **#2912 BATES SINGLE-FAMILY RESIDENCE**

5 Swanner Lane, area variance to construct residential additions to an existing warehouse building and use as a single-family residence; seeking relief from the rear setback and maximum principal building coverage in the Urban Residential – 3 District.

Documents:

[2912 BATESRESIDENCEADD\\_APP\\_REDACTED.PDF](#)

5. **#2913 DIULIO GARAGE**

122 North Street, area variance to construct a detached, two-car, two-story garage with second-story living space; seeking relief to permit finished/habitable space in an accessory structure in an Urban Residential – 3 District.

Documents:

[2913 DIULIOGRAGEAPT\\_APP\\_REDACTED.PDF](#)

6. **#2917 PATRICIA ADDITION**

8 McAllister Dr. area variance to construct a rear porch addition to an existing single-family residence; seeking relief from the maximum principal building coverage in an Urban Residential – 1 District.

Documents:

[2917 PATRICIARESIDENCEPORCH\\_APP\\_REDACTED.PDF](#)

7. **#2907 DELARM RESIDENTIAL ADDITION**

96 Quevic Drive, area variance for construction of an attached garage addition to an existing single-family residence and maintenance of a shed; seeking relief from the minimum front yard and side yard setbacks for the residential addition and minimum side yard and maximum accessory building coverage for the shed in the Urban Residential – 1 District.

Documents:

[2907 DELARMRESIDENCEADD\\_APP\\_REDACTED.PDF](#)  
[2907 DELARMRESIDENCEADD\\_PLANS.PDF](#)  
[2907 DELARMRESIDENCEADD\\_PHOTOS.PDF](#)  
[2907 DELARMRESIDENCEADDITION\\_BUILDINSPECTDENIAL.PDF](#)

8. **#2786.2 RITE AID SIGNAGE**

90 West Ave./242 Washington St., area variance for proposed sign package for a new pharmacy/retail establishment; seeking relief from the maximum number of wall signs, maximum area for wall signs, placement of wall signs above the first floor level of the building, maximum area for a freestanding sign, to permit directional signage, maximum area for directional signage, and to permit temporary signage (banner) in the Transect 5 District.

Documents:

[2786.2 RITEAIDSIGNAGE\\_APP\\_REDACTED.PDF](#)  
[2786.2 RITEAIDSIGNAGE\\_UPDATEDMATERIALS.PDF](#)  
[2786.2 RITEAIDSIGNAGE\\_COUNTYRESPONSE.PDF](#)

**Adjourned Items**

1. **#2776.1 GUARINO/HANER EXTENSION**

21 Park Place, area variance extension for construction of two (2) two-family residences; relief from the minimum front yard setback and maximum principal building coverage granted December 15, 2014.

Documents:

[2776.1 GUARINOHANERPROJECTEXT\\_APP\\_REDACTED.PDF](#)  
[2776.1 GUARINOHANERPROJECT\\_BUILDINSPECTDENIAL.PDF](#)

2. **#2903 CAPOZZOLA HOME OCCUPATION**

57 Gilbert Road, area variance to maintain a home occupation in a detached garage; seeking relief to permit a home occupation in an accessory structure (residential), to exceed the maximum floor area and number of employees for home occupations in the Rural Residential District.

Documents:

[2903 CAPOZZOLARESIDENCEHOMEOCCUPATION\\_APP\\_REDACTED.PDF](#)

3. **#2889 CDJT DEVELOPMENT MULTI-FAMILY**

124 Jefferson Street, use variance to convert an existing 6-unit senior housing development to multi-family residential including workforce housing; seeking relief from the permitted uses in the Urban Residential 2 District.

Documents:

[2889 CDJT TOWNHOUSES\\_APP\\_REDACTED.PDF](#)  
[2889 CDJT TOWNHOUSES\\_BUILDINSPECTDENIAL.PDF](#)  
[2889 CDJT TOWNHOUSES\\_AMILLERCORR4-25-16\\_REDACTED.PDF](#)

4. **#2880 ARMER/DESORBO RESIDENCE**

117 Middle Avenue, area variance for additions to an existing single-family residence; seeking relief from the minimum side and rear yard setbacks and maximum principal building requirements in the Urban Residential – 3 District.

Documents:

[2880 ARMERDESORBORESIDENCEADD\\_APP\\_REDACTED.PDF](#)  
[2880 ARMERDESORBORESIDENCEADD\\_ELEVATIONS5-5-16.PDF](#)  
[2880 ARMERDESORBORESIDENCEADD\\_REVISEDMP4-11-16.PDF](#)  
[2880 ARMERDESORBORESIDENCE\\_ADDTLINFO5-20-16.PDF](#)  
[2880 ARMERDESORBORESIDENCEADD\\_CORRBLACK\\_REDACTED.PDF](#)  
[2880 ARMERDESORBORESIDENCE\\_BUILDINSPECTDENIAL.PDF](#)

5. **#2890 BARLOW RESIDENCE**

2 Cherry Tree Lane, area variance to construct an attached garage and breezeway to an existing single-family residence; seeking relief from the minimum side yard setback requirements in the Rural Residential District.

Documents:

[2890 BARLOWRESIDENCEADDITION\\_APP\\_REDACTED.PDF](#)  
[2890 BARLOWRESIDENCEADDITION\\_BUILDINSPECTDENIAL.PDF](#)

**Other Business**

1. APPROVAL OF DRAFT MEETING MINUTES: SEPT. 26
2. NEXT ZONING BOARD MEETING: TUES., OCTOBER 24

*Note: This agenda is subject to change up until the time of meeting. Updates will be reflected here as they arise. Check posted agenda here to verify the actual agenda prior to the*

*meeting.*



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>                                   |
|---------|----------------------|------------------------------------|---|
| Name    | Matt Sames           |                                    | James Easton MJ Engineering                             |
| Address | [REDACTED]           |                                    | 21 Corporate Drive, Suite 105<br>Clifton Park, NY 12065 |
| Phone   | [REDACTED]           | /                                  | [REDACTED]  |
| Email   | [REDACTED]           |                                    | [REDACTED]  |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 20 Bowman Street Tax Parcel No.: 179 29 3 11  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: \_\_\_\_\_ under contract 3. Zoning District when purchased: TRB

4. Present use of property: commercial 5. Current Zoning District: TRB

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Converting an existing one story commercial building into a 2 story building with drinking and eating establishment on the first floor and apartment on the second floor.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

240-2.0

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>                    | <u>From</u> | <u>To</u> |
|--|-------------|-----------|
| Second Floor Addition - Front Minimum Setback      | 40'         | 25.5'     |
| Second Floor Addition - North Side Minimum Setback | 40'         | 6.8'      |
| Parking - South Side Minimum setback               | 20'         | 1.8'      |
| Parking - Rear Minimum setback                     | 25'         | 7.8'      |
| Parking - Front Minimum setback                    | 40'         | 27.1'     |
| Deck - North Side Minimum setback                  | 40'         | 8.1'      |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The building side and front setbacks are necessary to make the existing building conform to the current zoning code. The apartment will be added to conform to the comprehensive plan, where second floor apartments are encouraged.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The use of drinking and eating establishment is allowed within the Tourist Related Business district. The property to the north is used as track parking and will not be affected. There are currently eating and drinking establishments in the neighborhood, although this will geared towards an upscale clientèle.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

No, as the existing building does not conform to code.

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4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

No, as the existing building footprint is to remain the same, there is no change in the character of the neighborhood. Also as the existing parking in front is located to the side, it will not conform with City code and again be similar to the existing business in the neighborhood.

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5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The proposed building variances are not self created as the existing building does not comport to the City code. The parking variance setback is also not self created as a result of the City code requirement of 24' travel way and 18' parking stalls, the side parking variance is required, as no parking based upon dimension and code compliance would be allowed on parcel if a variance was not granted.

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DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)

Date: 8/2/16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ . \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

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This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

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Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

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Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

**Zoning Board of Appeals  
Project Narrative  
for**

**20 Bowman Street  
City of Saratoga Springs  
Saratoga County, New York**

Prepared for:  
Matt Sames  
Sames Media Group  
Located at  
19 Blue Jay Way  
Rexford, NY 12148

September 13, 2016

*Prepared by:*



Engineering and  
Land Surveying, P.C.

21 Corporate Drive, Suite 105  
Clifton Park, NY 12065

Tel: XXXXXXXXXX  
Fax: XXXXXXXXXX



## **INTRODUCTION**

The proposed project consists of one tax parcel in the City of Saratoga (tax parcel 179.29-3-11) comprising 0.29 acres. The existing commercial lot is situated between a restaurant/bar to the south and residential property to the west/north, with a vacant residential lot used as track parking directly to the north. See attached aerial map and tax map. The proposal application wishes to renovate an existing 1,500 commercial building, by removing the roof and making a second floor 1,500 SF apartment above the existing space, which will be converted into an eating and drinking establishment. The existing dated, concrete building will be renovated using stone, dark woods, black iron hinges and fixtures. An open air connection would be created between the patio and the restaurant. The year-round establishment will feature a menu of flatbreads, meat and cheese boards, and tapas style plates. The drink offerings will include wines, microbrewery beers, and various vodka drinks, with an upscale lounge atmosphere.

### **Zoning**

The parcel is within the Tourist Related Business (TRB-zone). To the north of the site the zoning is Urban Residential-2 (UR-2).

### **Parcel**

The parcel has an area of 0.29 acres and has a lot frontage of 100 feet and a depth of 124.9 feet.

### **Water**

There is service currently within the property. A water district extension would not be needed.

### **Sewer**

Currently no sewer service is available within the property. A grinder pump station will be needed.

### **Stormwater**

Stormwater will be managed by an underground infiltration array system.

### **Usage**

The proposed use of eating and drinking establishment is an approved use. The second floor apartment is an approved use within the TRB zone with a special use permit issued by the City.

### **VariANCES**

#### Second Floor Addition

The existing building does not conform to the setbacks for the TRB zone. Therefore the following variances are required for adding a second floor to the building:

1. Front minimum setback from 40 feet to 25.5 feet (to building overhang).
2. North side minimum setback of 40 feet to 6.8 feet (to building overhang).

The schematic design proposes 17 parking spaces. 2 parking spaces for the apartment, 13.5 spaces for the eating and drinking establishment (1 space for 4 seats = 54 seats/4 seats per stall), 1.5 spaces for the employees (1 space for every 2 employees = 3 employees/2). Therefore the following variances are required to allow the required parking within the parcel:

1. South side minimum setback of 20 feet to 1.8' feet.
2. Rear minimum setback of 25 feet to 7.8 feet.
3. Front minimum setback of 40 feet to 27.1 feet.

The deck providing access to the second floor apartment requires the following variances:

1. North side minimum setback of 40 feet to 8.1 feet.



**EXHIBITS:**

- |                  |                   |
|------------------|-------------------|
| <b>Exhibit 1</b> | <b>Aerial Map</b> |
| <b>Exhibit 2</b> | <b>Tax Map</b>    |
| <b>Exhibit 3</b> | <b>Site Photo</b> |



Aerial Map



Tax Map



Image capture: Jul 2014 © 2016 Google

Street View Photo – Existing Conditions





# Engineering and Land Surveying, P.C.

1533 Crescent Road, Clifton Park, NY 12065  
[Redacted]  
[Redacted]

## LETTER OF TRANSMITTAL

|                              |              |                  |
|------------------------------|--------------|------------------|
| <b>Date:</b>                 | <b>MJ #:</b> | <b>Contract:</b> |
| 8/5/16                       | 972.17       | N/A-             |
| <b>Attention:</b>            |              | <b>PIN:</b>      |
| Susan Barden, Senior Planner |              | N/A              |
| <b>Project:</b>              |              |                  |
| 20 Bowman Street             |              |                  |
|                              |              |                  |
| <b>RE: ZBA Application</b>   |              |                  |

**TO:**

Saratoga Springs Planning Board  
City Hall  
474 Broadway  
Saratoga Springs NY 12866

**WE ARE SENDING:**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Shop Drawings  | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Separate Cover   | <input type="checkbox"/> via <u>regular mail</u> the following items: |
| <input type="checkbox"/> Copy of Letter | <input type="checkbox"/> Prints              | <input checked="" type="checkbox"/> Plans | <input type="checkbox"/> Samples                                      |
|   | <input type="checkbox"/> Change Order        | <input type="checkbox"/> CD               | <input type="checkbox"/> Specifications                               |
|   |  |   | <input checked="" type="checkbox"/> Other <u>See Below</u>            |

| Copies | Date     | No. | Description                         |
|--------|----------|-----|-------------------------------------|
| 1      | 8/5/2016 |     | ZBA Application                     |
| 1      | 8/5/2016 |     | Existing Conditions Plan            |
| 1      | 8/5/2016 |     | Concept Site Plan                   |
| 1      | 8/5/2016 |     | Project Narrative                   |
| 1      |          |     | Short Environmental Assessment Form |
| 1      |          |     | Check #2456 \$500.00                |
|        |          |     |                                     |
|        |          |     |                                     |
|        |          |     |                                     |
|        |          |     |                                     |

**ITEMS ARE TRANSMITTED as checked below:**

- |  |   |                                   |                               |
|--|---|-----------------------------------|-------------------------------|
| <input type="checkbox"/> For approval                      | <input type="checkbox"/> Approved as submitted            | <input type="checkbox"/> Resubmit | _____ copies for approval     |
| <input checked="" type="checkbox"/> For your use           | <input type="checkbox"/> Approved as noted                | <input type="checkbox"/> Submit   | _____ copies for distribution |
| <input type="checkbox"/> As requested                      | <input type="checkbox"/> Returned for corrections         | <input type="checkbox"/> Resubmit | _____ corrected prints        |
| <input checked="" type="checkbox"/> For review and comment | <input type="checkbox"/> Prints returned after loan to us |                                   |                               |
| <input type="checkbox"/> For bids due _____                | <input type="checkbox"/> Other: _____                     |                                   |                               |

**Comments:**

cc: file \_\_\_\_\_  
client \_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_  
**Alison Yovine, PLA**

2456

Sames Media Group LLC  
19 Blue Jay Way  
Rexford, NY 12148

29-1310-213

DATE 8/2/14

PAY TO THE  
ORDER OF

Comm. of Finance

\$ 500<sup>00</sup>

Five hundred & 00/100

DOLLARS

 Security Features  
Included  
Details on Back.

**Citizens Bank®**

President and CEO

FOR 20 BOWMAN ST. APP.



MP



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
  
\_\_\_\_\_  
(Application #)  
  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>         |
|---------|----------------------|------------------------------------|-------------------------------|
| Name    | Matt Sames           |                                    | James Easton MJ Engineering   |
| Address | _____                |                                    | 21 Corporate Drive, Suite 105 |
|         | _____                |                                    | Clifton Park, NY 12065        |
| Phone   | _____ / _____        | _____ / _____                      | _____ / _____                 |
| Email   | _____                |                                    | _____                         |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 20 Bowman Street Tax Parcel No.: 179 29 3 11  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: \_\_\_\_\_ under contract 3. Zoning District when purchased: TRB

4. Present use of property: commercial 5. Current Zoning District: TRB

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Converting an existing one story commercial building into a 2 story building with drinking and eating establishment on the first floor and apartment on the second floor.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

240-2.0

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>           | <u>From</u> | <u>To</u> |
|---|-------------|-----------|
| Ex. Building -Front Minimum setback       | 40'         | 26.9'     |
| Ex. Building - North Side Minimum setback | 40'         | 8.1'      |
| Parking - South Side Minimum setback      | 20'         | 1.8'      |
| Parking - Rear Minimum setback            | 25'         | 7.8'      |
| Parking - Front Minimum setback           | 40'         | 27.1'     |
| Deck - North Side Minimum setback         | 40'         | 8.1'      |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The building side and front setbacks are necessary to make the existing building conform to the current zoning code. The apartment will be added to conform to the comprehensive plan, where second floor apartments are encouraged.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The use of drinking and eating establishment is allowed within the Tourist Related Business district. The property to the north is used as track parking and will not be affected. There are currently eating and drinking establishments in the neighborhood, although this will geared towards an upscale clientèle.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)

Date: 8/2/16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ . \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 - Project and Sponsor Information</b>  |            |            |  |
|--|------------|------------|--|
| Name of Action or Project:   |            |            |  |
| Project Location (describe, and attach a location map):  |            |            |  |
| Brief Description of Proposed Action:  |            |            |  |
| Name of Applicant or Sponsor:  | Telepho    | [REDACTED] |  |
|  | E-Mail:    | [REDACTED] |  |
| Address:   |            |            |  |
| [REDACTED]   |            |            |  |
| City/PO:   | State:     | Zip Code:  |  |
| [REDACTED]   | [REDACTED] | [REDACTED] |  |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | <b>NO</b>  | <b>YES</b> |  |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   | <b>NO</b>  | <b>YES</b> |  |
| 3.a. Total acreage of the site of the proposed action? _____ acres   |            |            |  |
| b. Total acreage to be physically disturbed? _____ acres   |            |            |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres   |            |            |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |            |            |  |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)  |            |            |  |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |            |            |  |
| <input type="checkbox"/> Parkland  |            |            |  |



|   |  |  |
|---|--|--|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>MATT SAMES</u> Date: <u>8/2/16</u></p> <p>Signature: <u></u></p> |  |  |

**Zoning Board of Appeals  
Project Narrative  
for**

**20 Bowman Street  
City of Saratoga Springs  
Saratoga County, New York**

Prepared for:  
Matt Sames  
Sames Media Group  
Located at  
19 Blue Jay Way  
Rexford, NY 12148

August 8, 2016

*Prepared by:*



Engineering and  
Land Surveying, P.C.

21 Corporate Drive, Suite 105  
Clifton Park, NY 12065

Tel: XXXXXXXXXX  
Fax: XXXXXXXXXX



## **INTRODUCTION**

The proposed project consists of one tax parcel in the City of Saratoga (tax parcel 179.29-3-11) comprising 0.29 acres. The existing commercial lot is situated between a restaurant/bar to the south and residential property to the west/north, with a vacant residential lot used as track parking directly to the north. See attached aerial map and tax map. The proposal application wishes to renovate an existing 1,500 commercial building, by removing the roof and making a second floor 1,500 SF apartment above the existing space, which will be converted into an eating and drinking establishment. The existing dated, concrete building will be renovated using stone, dark woods, black iron hinges and fixtures. An open air connection would be created between the patio and the restaurant. The year-round establishment will feature a menu of flatbreads, meat and cheese boards, and tapas style plates. The drink offerings will include wines, microbrewery beers, and various vodka drinks, with an upscale lounge atmosphere.

### **Zoning**

The parcel is within the Tourist Related Business (TRB-zone). To the north of the site the zoning is Urban Residential-2 (UR-2).

### **Parcel**

The parcel has an area of 0.29 acres and has a lot frontage of 100 feet and a depth of 124.9 feet.

### **Water**

There is service currently within the property. A water district extension would not be needed.

### **Sewer**

Currently no sewer service is available within the property. A grinder pump station will be needed.

### **Stormwater**

Stormwater will be managed by an underground infiltration array system.

### **Usage**

The proposed use of eating and drinking establishment is an approved use. The second floor apartment is an approved use within the TRB zone with a special use permit issued by the City.

### **Variances**

#### Existing Building

The existing building does not conform to the setbacks for the TRB zone. Therefore the following variances are required:

1. Front minimum setback from 40 feet to 26.9 feet
2. North side minimum setback of 40 feet to 8.1 feet

#### Proposed Design

The schematic design proposes 17 parking spaces. 2 parking spaces for the apartment, 13.5 spaces for the eating and drinking establishment (1 space for 4 seats = 54 seats/4 seats per stall), 1.5 spaces for the employees (1 space for every 2 employees = 3 employees/2). Therefore the following variances are required to allow the required parking within the parcel:

1. South side minimum setback of 20 feet to 1.8' feet.
2. Rear minimum setback of 25 feet to 7.8 feet.
3. Front minimum setback of 40 feet to 27.1 feet.

The deck providing access to the second floor apartment requires the following variances:

1. North side minimum setback of 40 feet to 8.1 feet.



**EXHIBITS:**

- |                  |                   |
|------------------|-------------------|
| <b>Exhibit 1</b> | <b>Aerial Map</b> |
| <b>Exhibit 2</b> | <b>Tax Map</b>    |
| <b>Exhibit 3</b> | <b>Site Photo</b> |



Aerial Map

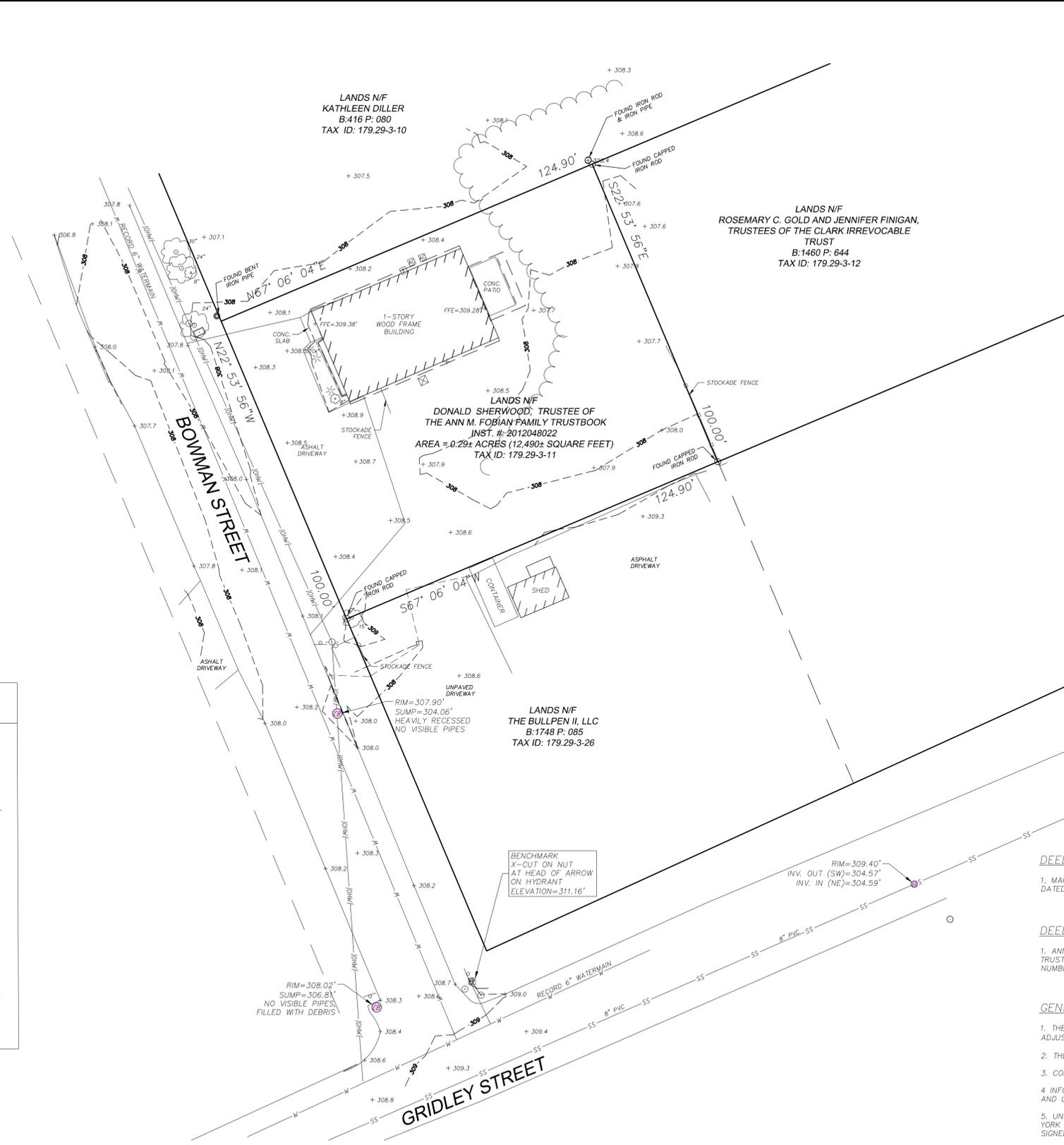
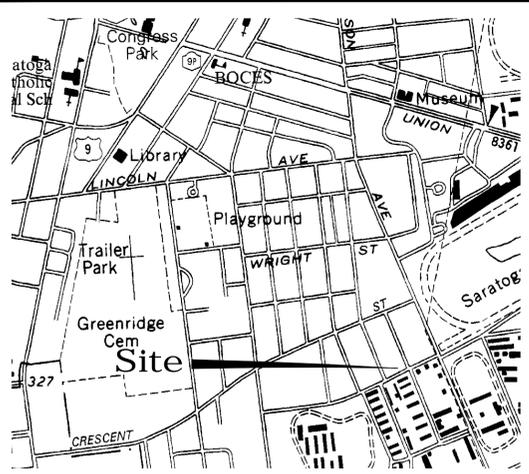


Tax Map



Image capture: Jul 2014 © 2016 Google

Street View Photo – Existing Conditions



**LEGEND**

|  |                      |
|--|----------------------|
|  | CATCH BASIN          |
|  | UTILITY POLE         |
|  | GUY WIRE             |
|  | ELECTRIC METER       |
|  | SINGLE POST SIGN     |
|  | MAILBOX              |
|  | AIR CONDITIONER UNIT |
|  | DECIDUOUS TREE       |
|  | CONIFEROUS TREE      |
|  | CONIFEROUS SHRUB     |
|  | DOUBLE POST SIGN     |
|  | DECIDUOUS TREE       |
|  | CONIFEROUS TREE      |
|  | DECIDUOUS SHRUB      |
|  | PROPERTY LINE        |
|  | OVERHEAD WIRES       |
|  | SANITARY SEWER LINE  |
|  | WOOD FENCE           |
|  | WOODS LINE           |

**DEED REFERENCE:**  
 1. MAP ENTITLED "MAP OF PROPERTY OWNED BY J.M. ADAMS, H. KNICKERBACKER, C.E. LELAND AND E.H. CHAPMAN" DATED 1971 AND FILED IN THE SARATOGA COUNTY CLERKS OFFICE IN DRAWER 2 AS MAP 83.

**DEED REFERENCE:**  
 1. ANN M. FOBIAN, F/K/A ANN M. COOK TO DONALD SHERWOOD, AS TRUSTEE OF THE ANN M. FOBIAN FAMILY TRUST, DATED DECEMBER 14, 2012 AND RECORDED IN THE SARATOGA COUNTY CLERKS OFFICE AS INSTRUMENT NUMBER 2012048022 ON DECEMBER 18, 2012.

**GENERAL NOTES:**

1. THE HORIZONTAL DATUM IS ON NORTH AMERICAN DATUM OF 1983, (2011) ADJUSTMENT: NAD 83/ (2011), NEW YORK STATE PLANE EAST ZONE 3101.
2. THE VERTICAL DATUM IS THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29).
3. CONTOUR INTERVAL = 1 FOOT.
4. INFORMATION SHOWN HEREON IS FROM A FIELD SURVEY CONDUCTED BY MJ ENGINEERING AND LAND SURVEYING, PC JULY 21, 2016.
5. UNAUTHORIZED ALTERATIONS OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYORS SEAL AND SIGNED WITH RED INK SHALL NOT BE CONSIDERED TO BE VALID COPIES.

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.

| SUBMITTAL / REVISIONS |      |             |    |              |      |
|-----------------------|------|-------------|----|--------------|------|
| No.                   | DATE | DESCRIPTION | BY | REVIEWED BY: | DATE |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |

PROJ. MANAGER: JWE  
 CHIEF DESIGNER: JWE  
 DESIGNED BY: JWE  
 DRAWN BY: JWE  
 CHECKED BY: -

DRAFT

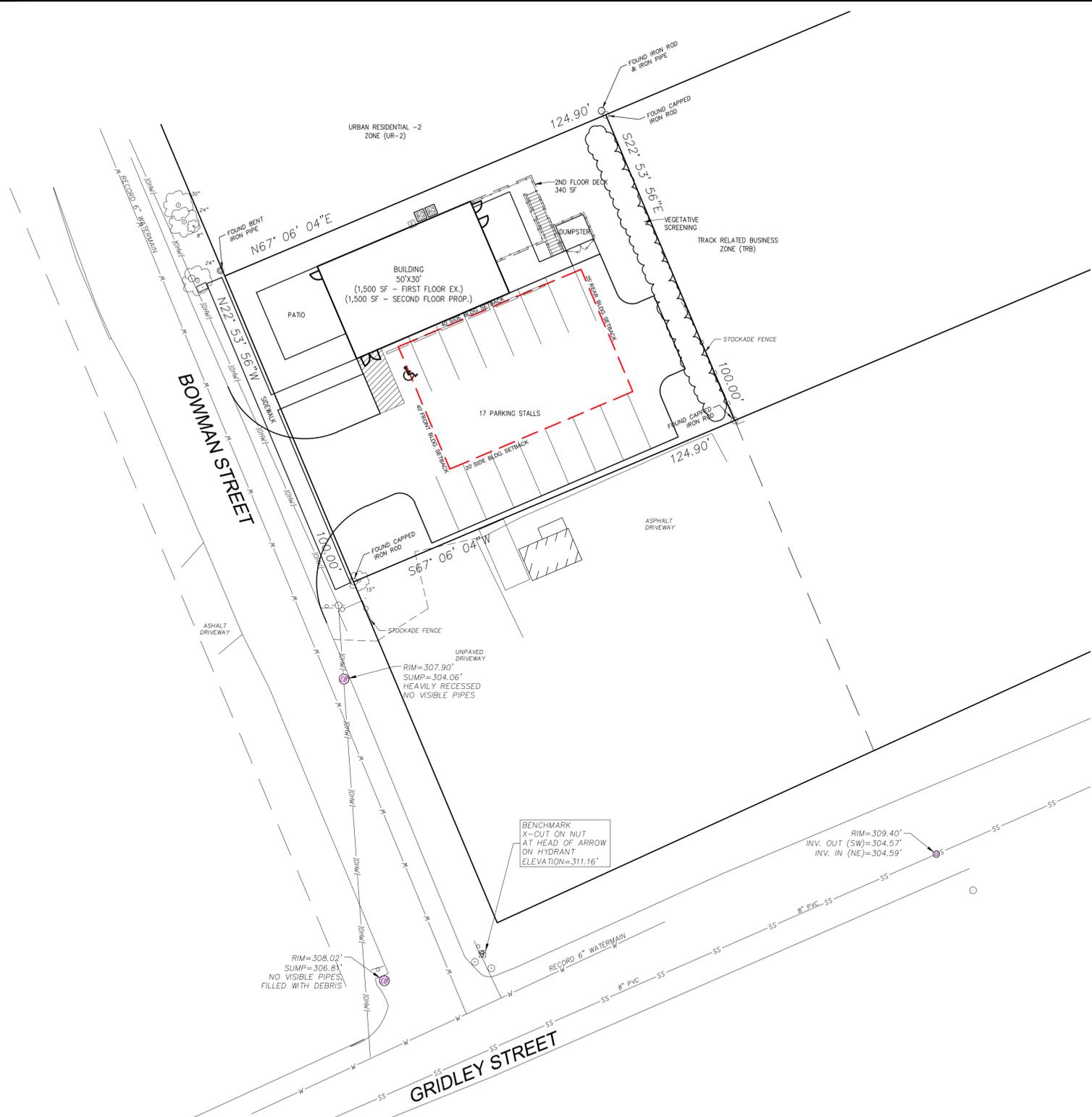
**Engineering and Land Surveying, P.C.**  
 1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES  
**EXISTING CONDITIONS**  
 20 BOWMAN STREET  
 CITY OF SARATOGA SPRINGS NEW YORK

SCALE: AS SHOWN  
 CONTRACT No.: -  
 MJ PROJ. No.: 972.17  
 DATE: AUGUST 2016

C-1

SHEET 1 OF 2



**SITE PLAN**  
SCALE 1"=20'



**RENDER SITE PLAN**  
SCALE 1"=20'

**SITE STATISTICS**

|                    |  |
|--------------------|--|
| SITE AREA:         | 12,490 SF (MIN LOT SIZE IS 10,000 SF)  |
| EXISTING ZONE:     | TRB (TOURIST RELATED BUSINESS)   |
| USE:               | DRINKING AND EATING ESTABLISHMENT 1ST FLOOR,<br>APARTMENT 2ND FLOOR<br>(SPECIAL USE PERMIT FOR APARTMENT IN TRB ZONE)  |
| PARKING:           | REQUIRED= 17 SPACES<br>PROPOSED= 17 SPACES<br>BASED UPON 2 SPACES PER APARTMENT= 2 REQUIRED.<br>BASED UPON 1 SPACE PER 4 SEATS= 54 SEATS/4 SEAT PER STALL=13.5 SPACES<br>BASED UPON 1 SPACE PER EVERY 2 EMPLOYEES= 3 EMPLOYEES= 1.5 SPACES |
| MINIMUM LOT WIDTH: | 100' IN TRB (HAVE 100')  |
| SETBACKS BLDG:     | FRONT=40' (TRB)<br>NORTH SIDE=40' (TRB)<br>SOUTH SIDE=20' (TRB)<br>REAR= 40' (TRB)   |
| MAX HT:            | 40'  |
| GREEN SPACE:       | 30% REQUIRED (PROPOSED 33.3%= 4,129 SF/12,400 SF)  |
| PRINCIPAL BLDG:    | 20% REQUIRED (PROPOSED 12%=1,500 SF/12,400 SF)   |

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS 'A' MISDEMEANOR.

| SUBMITTAL / REVISIONS |      |             |    |              |      |
|-----------------------|------|-------------|----|--------------|------|
| No.                   | DATE | DESCRIPTION | BY | REVIEWED BY: | DATE |
|                       |      |             |    |              |      |
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|                       |      |             |    |              |      |
|                       |      |             |    |              |      |

|                 |     |
|-----------------|-----|
| PROJ. MANAGER:  | JWE |
| CHIEF DESIGNER: | JWE |
| DESIGNED BY:    | JWE |
| DRAWN BY:       | JWE |
| CHECKED BY:     | -   |

SEAL

DRAFT



**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES  
**CONCEPT SITE PLAN #1**  
20 BOWMAN STREET  
CITY OF SARATOGA SPRINGS NEW YORK

|                      |
|----------------------|
| SCALE: AS SHOWN      |
| CONTRACT No.: -      |
| MJ PROJ. No.: 972.17 |
| DATE: AUGUST 2016    |
| <b>C-2</b>           |
| SHEET 2 OF 2         |



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u>       | <u>ATTORNEY/AGENT</u>                                   |
|---------|----------------------|--|---|
| Name    | Matt Sames           | Bronx Springs Group                      | James Easton MJ Engineering                             |
| Address | [REDACTED]           | 183 Church Ave<br>Ballston Spa, NY 12020 | 21 Corporate Drive, Suite 105<br>Clifton Park, NY 12065 |
| Phone   | [REDACTED]           |  | [REDACTED]  |
| Email   | [REDACTED]           |  | [REDACTED]  |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: Route 9/Broadway Tax Parcel No.: 191.8-1-1 thru 1-6  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: \_\_\_\_\_ under contract 3. Zoning District when purchased: TRB/RR-1

4. Present use of property: vacant 5. Current Zoning District: TRB/RR-1

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Build a pet boarding facility within the RR-1 district.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply).

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

240-2.0

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| North Minimum Side Setback      | 30'         | 20'       |
| South Minimum Side Setback      | 30'         | 20'       |
| Total Side Setbacks             | 100'        | 40'       |
| Minimum Average Width           | 200'        | 105'      |
| Minimum Lot Size                | 2.0 AC      | 1.59 AC   |
|                                 |             |           |
|                                 |             |           |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The existing building envelope varies from 5' to 8.8' wide, a variance is necessary to construct a usable building. The property to the south is, Pratt Drive, a private drive. The Applicant has written to the property owner to inquire about interest to sell property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Animal clinic is an acceptable use in the RR-1 zone, where the building will be located. The building will be set back from the road and not visible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

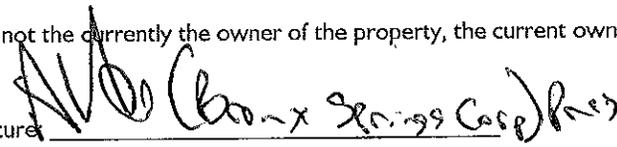
  
\_\_\_\_\_  
(applicant signature)

Date: 7/11/16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature:  (Coon-x Springs Corp) Res

Date: 7/13/16

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR DATE

# Short Environmental Assessment Form

## Part 1 - Project Information

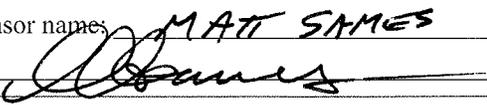
### Instructions for Completing

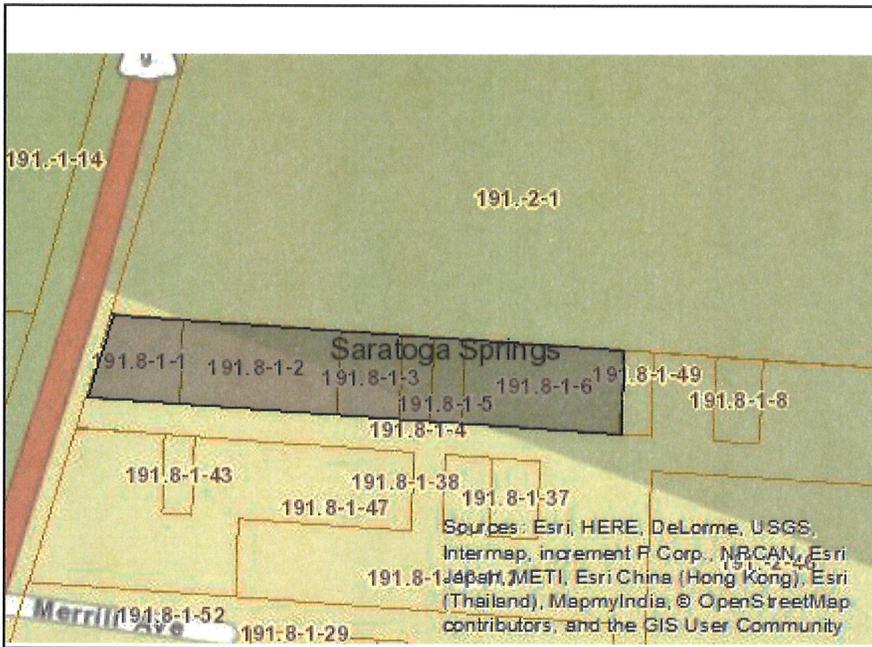
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

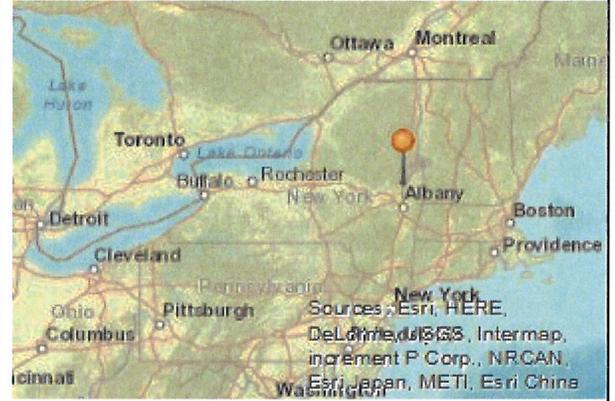
| <b>Part 1 - Project and Sponsor Information</b>  |                          |                       |   |    |     |                                     |                          |
|--|--------------------------|-----------------------|---|----|-----|-------------------------------------|--------------------------|
| Name of Action or Project:<br>Pet Lodge  |                          |                       |   |    |     |                                     |                          |
| Project Location (describe, and attach a location map):<br>Rt 9/Broadway Saratoga Springs, NY  |                          |                       |   |    |     |                                     |                          |
| Brief Description of Proposed Action:<br>Construct a pet boarding facility on existing vacant parcel(s)  |                          |                       |   |    |     |                                     |                          |
| Name of Applicant or Sponsor:<br>Matt Sames  |                          | Telephone: [REDACTED] |   |    |     |                                     |                          |
|  |                          | E-Mail: [REDACTED]    |   |    |     |                                     |                          |
| Address:<br>[REDACTED]   |                          |                       |   |    |     |                                     |                          |
| City/PO:<br>[REDACTED]   |                          | State:<br>[REDACTED]  | Zip Code:<br>[REDACTED]   |    |     |                                     |                          |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 3.a. Total acreage of the site of the proposed action?   |                          | _____ 1.59 acres      |   |    |     |                                     |                          |
| b. Total acreage to be physically disturbed?   |                          | _____ .69 acres       |   |    |     |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                          | _____ 1.59 acres      |   |    |     |                                     |                          |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)   |                          |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____   |                          |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/> Parkland   |                          |                       |   |    |     |                                     |                          |



|   |  |   |
|---|--|---|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>Creation of a detention basin, approx. 1500 SF</p> <p>_____</p> | <p>NO</p> <p><input type="checkbox"/></p>            | <p>YES</p> <p><input checked="" type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p>            |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p>            |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>MATT SIMES</u> Date: <u>7/11/16</u></p> <p>Signature: <u></u></p>      |  |   |



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



|   |   |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area]               | No  |
| Part 1 / Question 12a [National Register of Historic Places]    | No  |
| Part 1 / Question 12b [Archeological Sites]                     | Yes   |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal]          | No  |
| Part 1 / Question 16 [100 Year Flood Plain]                     | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| Part 1 / Question 20 [Remediation Site]                         | No  |

**Zoning Board of Appeals  
Project Narrative  
for  
Pet Lodge  
Route 9  
City of Saratoga Springs  
Saratoga County, New York**

Prepared for:  
Matt Sames,  
Sames Media Group  
Located at  
19 Blue Jay Way  
Rexford, NY 12148

July 8, 2016

*Prepared by:*



Engineering and  
Land Surveying, P.C.

21 Corporate Drive, Suite 105  
Clifton Park, NY 12065





## **INTRODUCTION**

The proposed project consists of 6 separate tax parcels in the City of Saratoga (tax parcels 191.08-1-1, 191.08-1-2, 191.08-1-3, 191.08-1-4, 191.08-1-5, 191.08-1-6) and the 6 parcel comprising 1.59 acres in total. The existing vacant tree lot is situated between a commercial business to the south and State park lands to the north. See attached aerial map and tax map. The proposal application wishes to build a 6,000 sf Animal Kennel on the parcels.

## **Zoning**

The parcel(s) is divided almost in half between Rural Residential (RR-Zone) and Tourist Related Business (TRB-zone). The TRB zone is located in the front half of the parcel and RR-Zone in the rear of the parcel. The location of the TRB/RR zoning line has been established based upon the zoning map and is located at the eastern edge of tax parcel 191.08-1-2 per the zoning map or approximately 350' from centerline of Route 9. To the north of the site the zoning is Intuitional Parkland Recreation (INST-PR- Zone)

## **Parcel**

The 6 parcels have a combined area of 1.59 acres and have a lot frontage of 108.8 feet and rear lot width of 105 feet and a depth of 644.4 feet.

## **Usage**

The proposed use, Animal Kennel, is an approved use within the RR zone with a special use permit issued by the City. From the proposed concept plan the entire proposed building will be located within the RR zone.

## **Variances**

As the 6 parcels are within two zones, the existing parcels within the RR zone do not conform to City on Lot size. The 4 rear parcels are less than the minimum allowed for either the RR or TRB zoning districts of 2.0 acres or 10,000 sf respectively.

As the lot varies from 105 feet to 108.8 feet in width, the front tax parcels conform to City code of 100 foot within the TRB zone, but as the rear existing 4 tax parcels are within RR zone and these parcel do not have 200 foot of frontage per City Code.

As the 4 rear tax parcels of the site vary from only 105 feet to 108.8 feet width of the side setbacks are 30 foot minimum and with a total of 100 feet required. This leaves a 5 feet to 8.8 feet wide envelope to build a structure, which is not feasible for a building to comport with NYS building code and ADA requirements.

Therefore based upon above information the project proposes the following variances for this project.

1. North Side minimum side setback from 30 feet to 20 feet within the RR zone
2. South Side minimum side setback from 30 feet to 20 feet within the RR zone
3. Total side setback of 100 feet to 40 feet within the RR zone
4. Minimum average width from 200 feet to 105 feet within RR zone
5. Minimum Lot size of 2.0 acres to 1.59 acres

The proposed North, South and Total Setbacks requested to 20 feet and a total of 40 feet match what is currently allowed under TRB zone in the front half of the site.

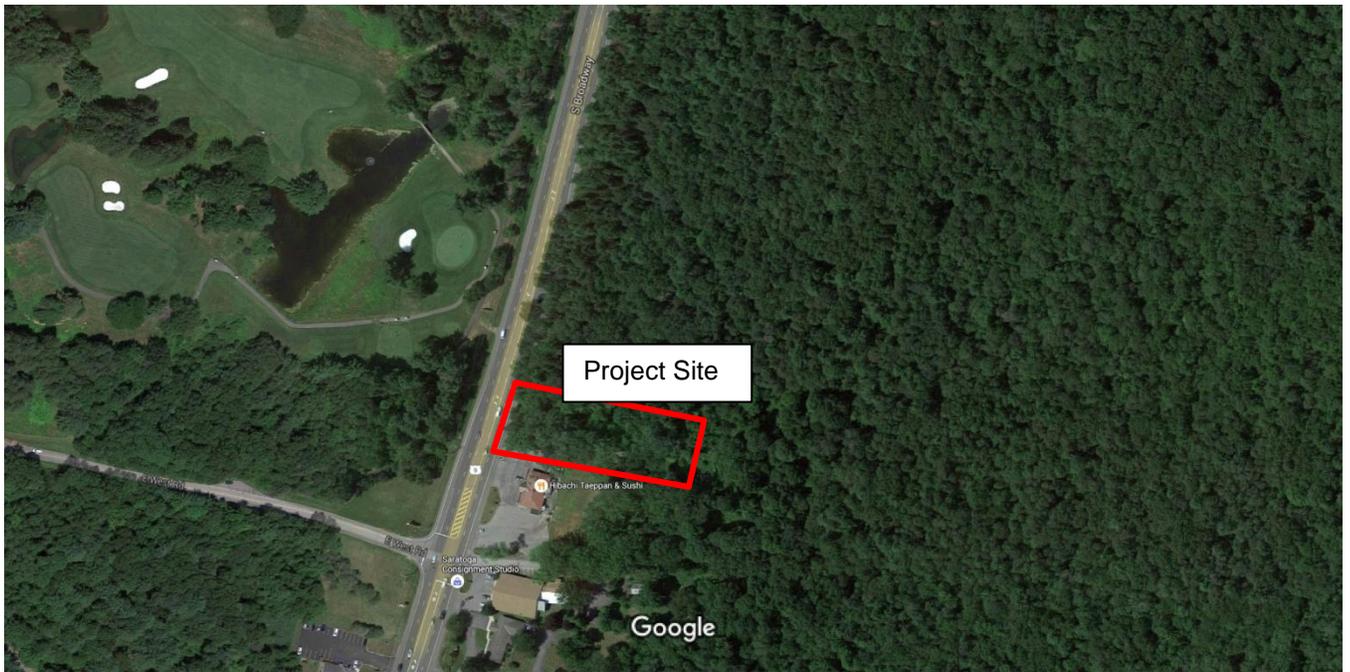


**EXHIBITS:**

- |                  |                           |
|------------------|---------------------------|
| <b>Exhibit 1</b> | <b>Aerial Map</b>         |
| <b>Exhibit 2</b> | <b>Tax Map</b>            |
| <b>Exhibit 3</b> | <b>Photo Location Map</b> |
| <b>Exhibit 4</b> | <b>Site Photos</b>        |



Aerial Map



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Tax Map

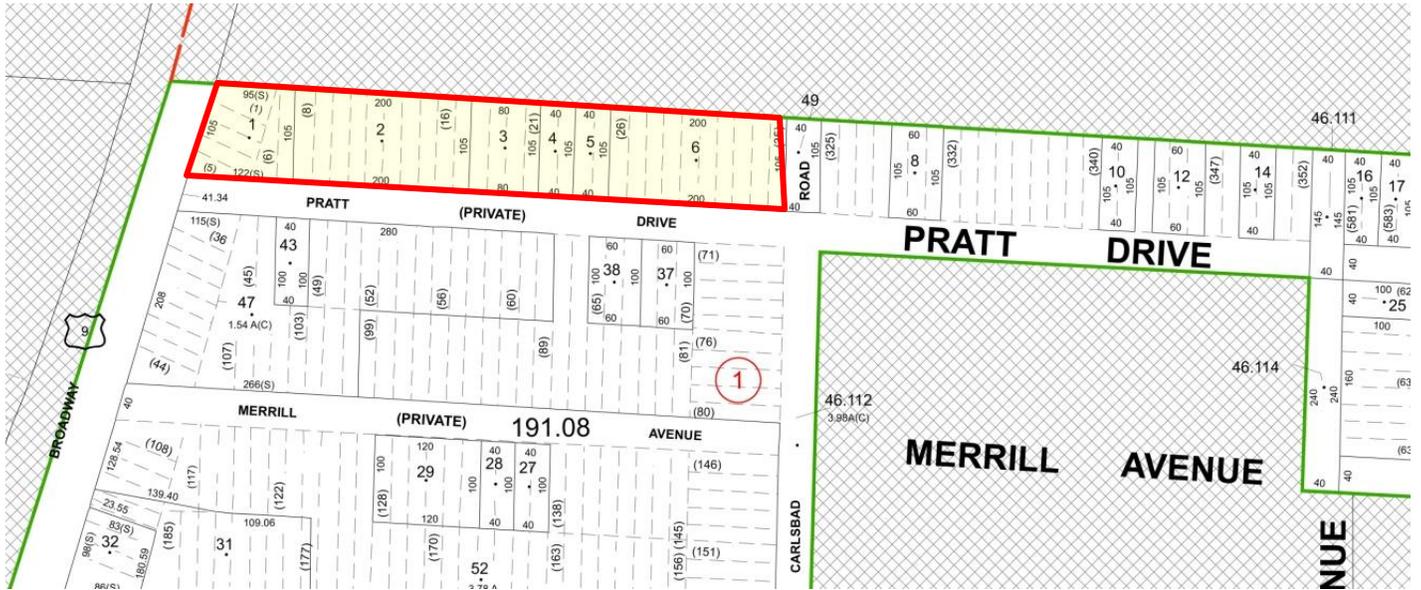




Photo Location Map

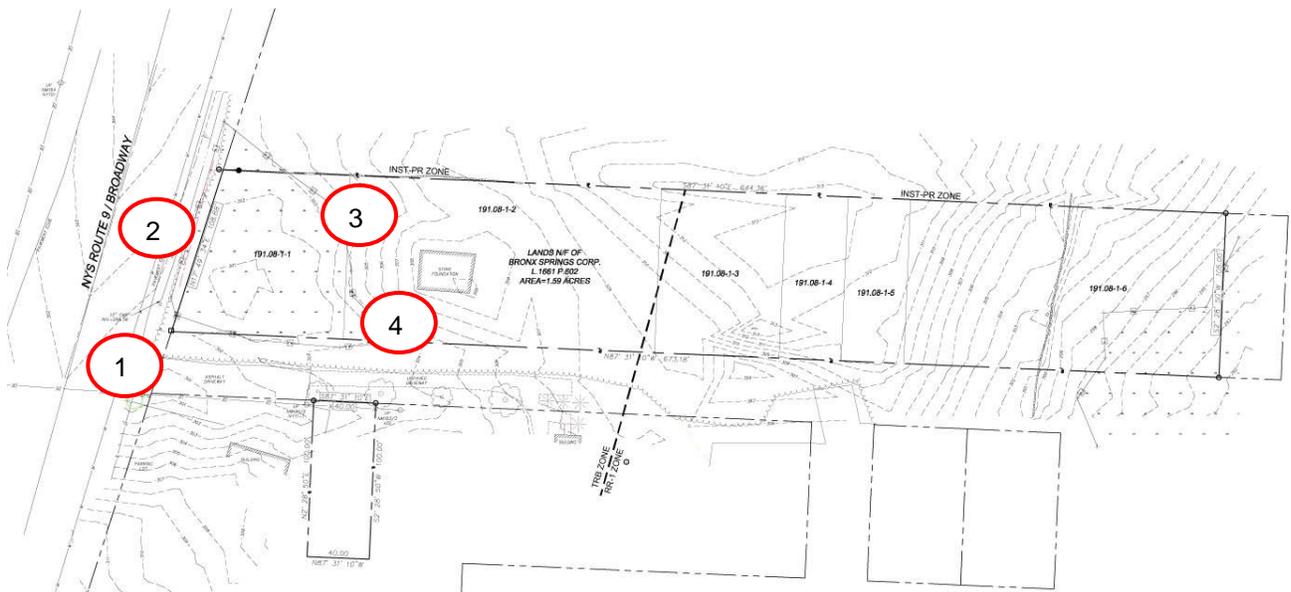




Photo 1





Photo 2





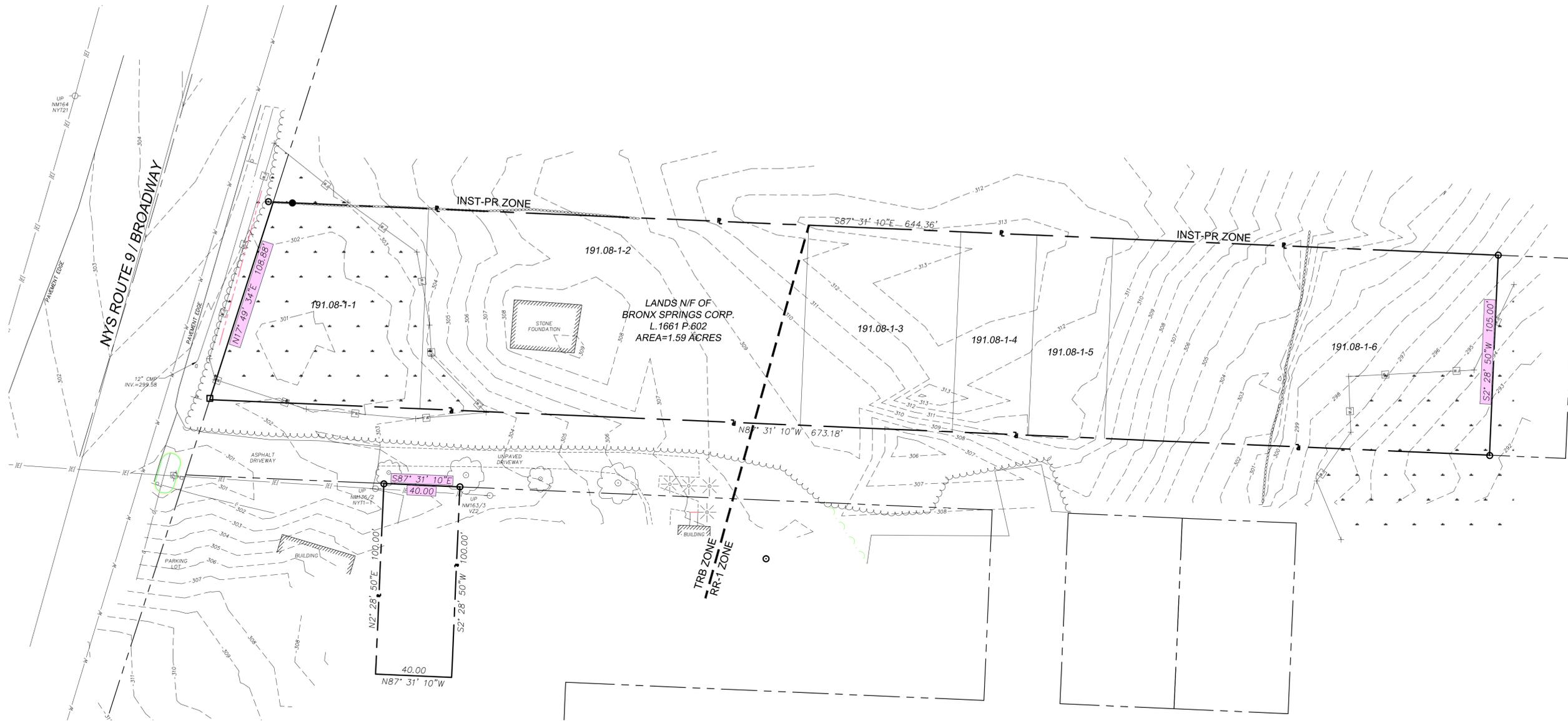
Photo 3





Photo 4





PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS 'A' MISDEMEANOR.

| SUBMITTAL / REVISIONS |      |             |    |              |      |
|-----------------------|------|-------------|----|--------------|------|
| No.                   | DATE | DESCRIPTION | BY | REVIEWED BY: | DATE |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |

|                 |     |
|-----------------|-----|
| PROJ. MANAGER:  | JWE |
| CHIEF DESIGNER: | JWE |
| DESIGNED BY:    | JWE |
| DRAWN BY:       | JWE |
| CHECKED BY:     | -   |

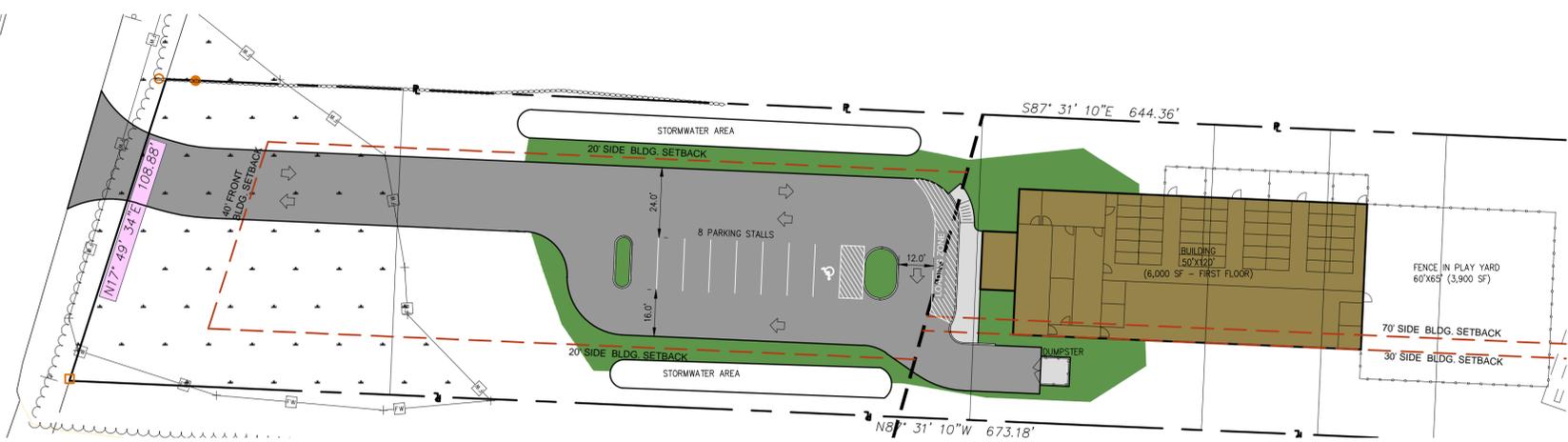
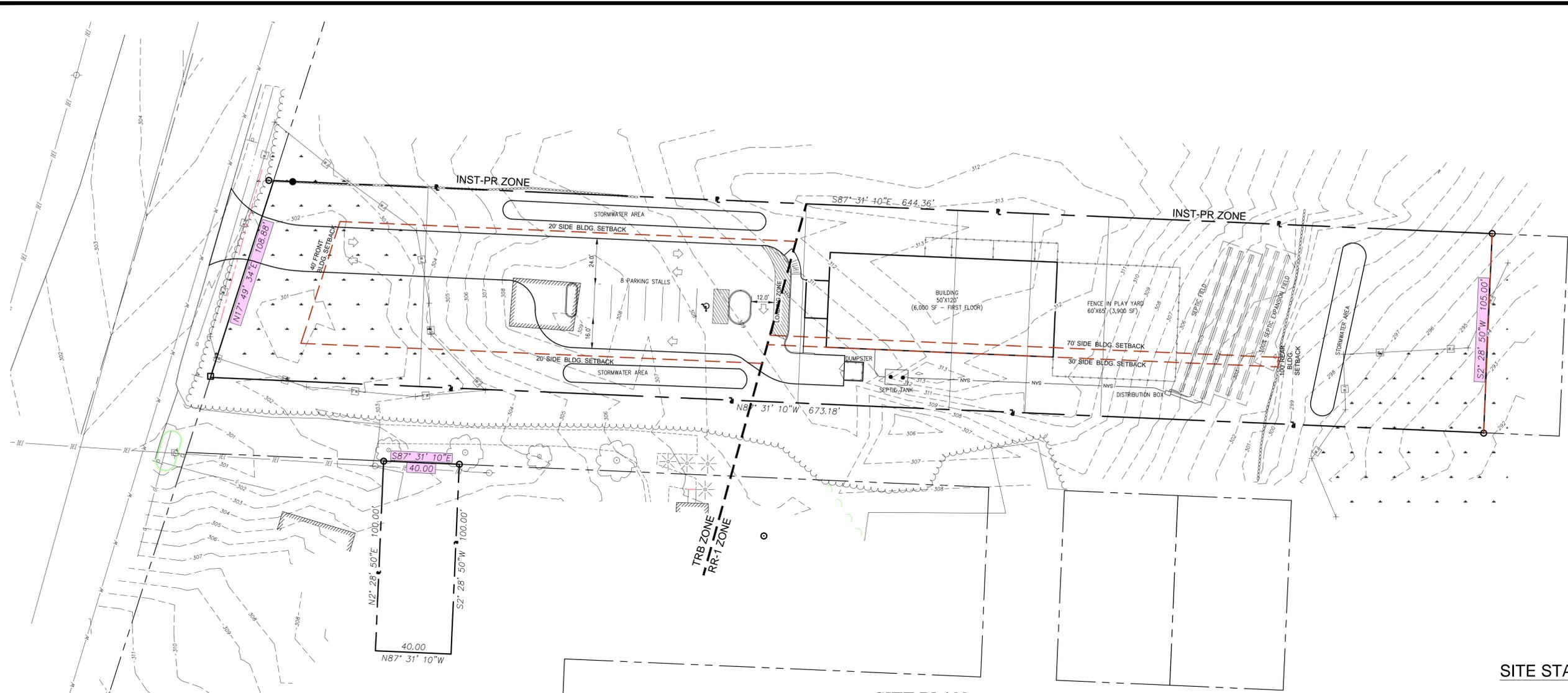
SEAL

DRAFT

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES  
**EXISTING CONDITIONS**  
ROUTE 9  
CITY OF SARATOGA SPRINGS NEW YORK

|                      |
|----------------------|
| SCALE: AS SHOWN      |
| CONTRACT No.: -      |
| MJ PROJ. No.: 972.15 |
| DATE: JULY 2016      |
| <b>C-1</b>           |
| SHEET 1 OF 2         |



**SITE STATISTICS**

|                    |  |
|--------------------|--|
| SITE AREA:         | 1.59+ ACRES (MIN LOT SIZE IS 2.0 ACRES OR 10,000 SF MAY NEED A VARIANCE)   |
| EXISTING ZONE:     | RR (RURAL RESIDENTIAL DISTRICT) & TRB (TOURIST RELATED BUSINESS)   |
| USE:               | ANIMAL CLINIC ( PERMIT USE IN RR ZONE)   |
| PARKING:           | REQUIRED=8<br>PROPOSED= 8 SPACES<br>BASED UPON 1 SPACE PER 200 SF OF BLDG.<br>(30X50' OFFICE/RETAIL SPACE= 1500SF/200SF/SPACE=8) |
| MINIMUM LOT WIDTH: | 100' IN TRB (HAVE 105')  |
| SETBACKS BLDG:     | FRONT=40' (TRB)<br>SIDE=20' (TRB)<br>REAR= 40' (TRB)   |
|                    | SIDE=30' MIN AND TOTAL OF 100' (RR-1)<br>REAR=100' (RR-1)  |
| MAX HT:            | 35'  |
| GREEN SPACE:       | 70% REQUIRED (PROPOSED 70%)  |

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.

| SUBMITTAL / REVISIONS |      |             |    |              |      |
|-----------------------|------|-------------|----|--------------|------|
| No.                   | DATE | DESCRIPTION | BY | REVIEWED BY: | DATE |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |
|                       |      |             |    |              |      |

|                 |     |
|-----------------|-----|
| PROJ. MANAGER:  | JWE |
| CHIEF DESIGNER: | JWE |
| DESIGNED BY:    | JWE |
| DRAWN BY:       | JWE |
| CHECKED BY:     | -   |

SEAL

DRAFT



**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES  
**CONCEPT SITE PLAN #1**  
ROUTE 9  
CITY OF SARATOGA SPRINGS NEW YORK

|                      |
|----------------------|
| SCALE: AS SHOWN      |
| CONTRACT No.: -      |
| MJ PROJ. No.: 972.15 |
| DATE: JULY 2016      |

**C-2**  
SHEET 2 OF 2



## **SARATOGA COUNTY PLANNING BOARD**

**TOM L. LEWIS**  
**CHAIRMAN**

**JASON KEMPER**  
**DIRECTOR**

September 16, 2016

Susan Barden, Senior Planner  
City of Saratoga Springs  
City Hall 474 Broadway  
Saratoga Springs, NY 12866

### **SCPB Referral Review#16-154-Area Variances-Sames**

Variances for lot size (merge 6 parcels to create a 1.59-acre lot vs. 2.0 required in RR), side setbacks, and minimum average lot width necessary for new construction of a pet boarding facility on a parcel split by two zoning districts (RR, rear and TRB, front).

South Broadway (NYS Route 9), east side

Received from the City of Saratoga Springs Zoning Board of Appeals on August 1, 2016.

Reviewed by the Saratoga County Planning Board on August 18, 2016.

**Decision:** No Significant County Wide or Inter Community Impact

**Comment:** The SCPB recognizes no direct countywide impacts related to the variances sought although the split of zoning districts will create difficulties in the future site plan's layout if appeals are granted by the city zoning board of appeals. SCPB will address any concerns with site access, building and parking layout, stormwater management and wetland impact following review of the referrals for site plan review and special use permit from the city planning board. The applicant will be required to obtain a curb cut permit from the West Avenue DOT Residency (contact Chad Corbett at 584-3790).

A handwritten signature in purple ink that reads "Michael Valentine".

---

Michael Valentine, Senior Planner  
Authorized Agent for Saratoga County

xc. Chad Corbett, NYSDOT

**DISCLAIMER:** Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

50 WEST HIGH STREET  
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE  
(518) 884-4780 FAX

ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: MATT SAMES

TAX PARCEL NO.: 191.8-1-1,2,3,4,5,6

PROPERTY ADDRESS: SOUTH BROADWAY/ROUTE 9  
ZONING DISTRICT: RURAL RESIDENTIAL & TRB

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of a pet boarding facility.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u>  | <u>From</u> | <u>To</u> |
|----------------------------------|-------------|-----------|
| Minimum side yard setback: North | 30 feet     | 20 feet   |
| Minimum side yard setback: South | 30 feet     | 20 feet   |
| Minimum total side yard setback: | 100 feet    | 40 feet   |

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

  
ZONING AND BUILDING INSPECTOR

9/12/16  
DATE

WHITEMAN  
OSTERMAN  
& HANNA LLP

Attorneys at Law  
www.woh.com

Jon E. Crain  
Associate

One Commerce Plaza  
Albany, New York 12260

September 26, 2016

**Via Electronic Mail (Lindsey.Gonzales@Saratoga-Springs.org)**

Zoning Board of Appeals of the City of Saratoga Springs  
475 Broadway  
Saratoga Springs, New York 12866

Re: *Opposition of Lu Holding, LLC and Wen Mei "Iris" Lu to Proposed Area Variance  
of Pet Lodge of Saratoga and Applicant Matt Sames*  
(Tax Parcel No.: 191.8-1-1,2,3,4,5,6)

Dear Board Members:

This firm represents Lu Holding, LLC (the "Company") and its principal, Iris Lu (Ms. Lu). The Company and Ms. Lu respectfully request that the Zoning Board of Appeals (the "ZBA") deny, in its entirety, the above-referenced Application for Area Variance (the "Application") submitted by Matt Sames (the "Applicant"), owner of Tax Parcel No. 191.8-1-1,2,3,4,5,6 (the "Proposed Pet Lodge").

The Company owns certain real property adjacent to the Proposed Pet Lodge (Tax Parcel No. 191.8-1-47), which contains a restaurant building recently occupied by Hibachi Restaurants, Inc. and a residential house (the "Hibachi Property"). Ms. Lu owns several vacant residential parcels on the East and South sides of the Proposed Pet Lodge (SBL #191.-2-46, SBL # 191.8-1-8, and SBL # 191.8-1-38). One of the adjacent parcels owned by Ms. Lu (SBL # 191.-2-46) is a private road called Pratt Drive, which sits between the Proposed Pet Lodge and the Hibachi Property. Pratt Drive is a necessary for ingress and egress of approximately 32 acres of land owned by Ms. Lu and/or the Company. As adjacent landowners and members of the community, my clients respectfully request that the Zoning Board of Appeals ("ZBA") deny the Application in its entirety.

Applicant has proposed to construct a building designed to house a "Pet Lodge" business, and to thereafter operate this business, housing dogs and other pets on a 24/7 basis. The Zoning and Building Inspector for the City of Saratoga Springs (the "Inspector") recently issued a determination denying an application submitted by Applicant seeking approval of the "[p]roposed construction of a pet boarding facility." The Inspector denied the application on the

ground that the proposed building significantly exceeds (by as much as 100 feet), the minimum setbacks for the property under the City of Saratoga Springs Zoning Ordinance (the “Zoning Code”). Applicant then proceeded to file the instant Application, seeking a substantial area variance pursuant to Section 8.3.1 of the Zoning Code. The only justification for the requested area variance in the Application is to state that “a variance is necessary to construct a usable building.” My clients respectfully submit that the requested variance must be denied pursuant to the unequivocal mandate of the Zoning Code.

Section 8.3.1 of the Zoning Code expressly limits the granting of an area variance to those applications limited to seeking “relief from the dimensional or physical requirements imposed by the applicable zoning regulations.” That Section states, in no uncertain terms, that “[a]n area variance does not authorize any change in the type of use of the property.” The Zoning Code continues:

In making its determination whether to grant an area variance, the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such the determination, the ZBA shall also consider:

1. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;**
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
3. **Whether the area variance is substantial;**
4. **Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and**
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of an area variance.

Zoning Code § 8.3.1(A) (emphasis supplied).

The Application must be denied under the clear language of this provision. First, the Application seeks a *de facto* use authorization and is therefore not the proper subject of an area variance as defined in the Zoning Code. Indeed, the Application itself states that the area variance is sought to facilitate a change in use of the Property, from its current vacant status to an active animal lodging business. Again, section 8.3.1(A) of the Zoning Code expressly states that “an area variance does not authorize any change in the type of use of the property.” Accordingly, the Application should be denied.

The Application also must be denied because it would cause significant detriment to the health, safety and welfare of the neighborhood and community (Zoning Code § 8.3.1[A]). It is beyond dispute that dogs, especially when crammed with other dogs in constrained spaces, create a significant amount of noise and odor. Such noise and odor, which indisputably would “have an

adverse effect or impact on the physical or environmental conditions in the neighborhood” (Zoning Code § 8.3.1[A]), would persist at all hours of the day and night. Dogs are especially likely to act loudly and/or aggressively when they are crated in unfamiliar environments, which is exactly what Applicant proposes to do. Accordingly, in addition to potentially threatening the health of neighboring children allergic to household pets, this proposed use therefore exposes Applicant’s residential neighbors to potentially large and aggressive dogs, thus threatening the welfare of the neighborhood (Zoning Code § 8.3.1[A]). The significant detriment that the Proposed Pet Lodge would cause to the health, safety and welfare of the neighborhood and community warrant denial of the Application in its entirety.

Similarly, the Application should also be denied because it would produce an undesirable change in the character of the neighborhood (Zoning Code § 8.3.1[A]), which is predominantly residential. A pet boarding facility requires ample land in order to adequately house the visiting animals, and to serve as a buffer to absorb the significant noise and odor caused by such a business. A pet boarding facility (especially an oversized one) should not be located directly adjacent to residential homes and commercial restaurants.

Furthermore, the granting of the area variance would negatively impact and devalue the nearby land, especially for residential use, thereby creating “a detriment to nearby properties” (Zoning Code § 8.3.1[A]). No one wants to live or eat next to a 24/7 pet lodging facility. The proposed building and its rear fenced-in “play yard,” as well as the proposed septic tank and dumpster, are directly diagonal from an existing residential home. The significant detriment to adjoining property values that would be caused by the Proposed Pet Lodge provides sufficient justification, in and of itself, for denial of the Application in its entirety.

The Application should also be denied under the Zoning Code because the area variance is “substantial” (Zoning Code § 8.3.1[A]). Indeed, Applicant’s underlying use application seeks approval to infringe upon the Code’s minimum setbacks by up to **100 feet** – a huge amount of space relative to the small parcel of property. This is because **the pet lodge property is way too small for the Proposed Pet Lodge**. Review of the Application demonstrates that Applicant is attempting to fit a 6,000 square foot building, a 3,900 square foot exterior play yard, a septic system, a parking lot, greenspace, and a drainage system on a narrow lot approximately 104 feet wide. In short, the proposed area variance would result in a large business crammed onto a small property, with overflow inevitable. (In fact, it does not appear that the Application adequately accounts for the setback required for the proposed septic system). The substantiality of the requested area variance simply cannot be disputed.

Finally, any alleged difficulty created by application of the Zoning Code’s minimum setbacks is indisputably self-created. Applicant could have considered the Zoning Code and its pertinent restrictions prior to purchasing the property, and can of course utilize the property for a myriad of lawful purposes that do not include housing large amount of scared and nervous animals.

In sum, given the details of the area variance demanded by Applicant, virtually all of the factors required to be set forth in Section 8.3.1(A) of the Zoning Code support denial of the Application. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jon E. Crain', with a stylized flourish extending to the left.

Jon E. Crain

cc: Iris Lu



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | APPLICANT(S)*   | OWNER(S) (If not applicant) | ATTORNEY/AGENT   |
|---------|---|-----------------------------|--|
| Name    | <u>TOM MEANEY / KELLY MADDEN</u>                            |                             | <u>ISNYDER BUILDERS, LLC</u>                                   |
| Address | <u>9 AURORA AVENUE</u><br><u>SARATOGA SPRINGS, NY 12866</u> |                             | <u>28 DYER SWITZER RD</u><br><u>SARATOGA SPRINGS, NY 12866</u> |
| Phone   | <u>N/A</u>  |                             |  |
| Email   | <u>N/A</u>  |                             |  |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 9 AURORA AVENUE Tax Parcel No.: 180 10 3 39  
(for example: 165.52-4-37)

2. Date acquired by current owner: 07/30/2015 3. Zoning District when purchased: SRI

4. Present use of property: RESIDENTIAL HOME 5. Current Zoning District: SRI

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply)?  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: AIR CONDITIONING UNIT ENCRACHES 5'  
BUILDING SETBACK.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_

2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE -- PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- 1. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) A/C UNIT WITHIN BUILDING SETBACK.

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: A/C UNIT LOCATED APPROX 2' FROM HOUSE FOUNDATION. ENCROACHES 5' BUILDING SETBACK BY APPROX 3'

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

UNIT WOULD HAVE TO BE MOVED TO EITHER FRONT OR SIDE OF HOUSE.  
HOME IS ON A CORNER LOT MAKING THE UNIT CLEARLY VISIBLE FROM  
THE STREETS. MECHANICALS / AC UNITS / GENERATORS ARE PROHIBITED  
BY THE OAK RIDGE HOA TO BE PLACED ON SIDES OF HOME  
FACING ANY STREET. ALTERNATIVE PLACEMENT WOULD BE UNSIGHTLY.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

ALL OAK RIDGE HOMES HAVE UNITS PLACED BETWEEN LOTS ON THE  
SIDES TO KEEP THEM OUT OF VIEW FROM THE STREETS. HOUSE  
NEXT DOOR ALSO HAS UNIT / POOL EQUIPMENT ON SAME SIDE.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

DOES NOT AFFECT NEIGHBORS PROPERTY OR THE WELFARE OF THE OAK RIDGE COMMUNITY

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

SIMILAR PLACEMENT OF A/C UNITS THROUGHOUT THE NEIGHBORHOOD

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

THE ZONING RULE WAS UNKNOWN. PREVIOUS SITUATIONS HAVE NOT CONCLUDED ANY PAST VIOLATIONS.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

\_\_\_\_\_

(applicant signature)

Date: \_\_\_\_\_

\_\_\_\_\_

(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL No.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s) \_\_\_\_\_ . As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

Dimensional Requirements

From

To

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| Part 1 - Project and Sponsor Information   |                          |                       |   |    |     |                                     |                          |
|--|--------------------------|-----------------------|---|----|-----|-------------------------------------|--------------------------|
| Name of Action or Project:<br><b>AREA VARIANCE FOR A/C UNIT.</b>   |                          |                       |   |    |     |                                     |                          |
| Project Location (describe, and attach a location map):<br><b>9 AURORA AVENUE, SARATOGA SPRINGS, NY 12866</b>  |                          |                       |   |    |     |                                     |                          |
| Brief Description of Proposed Action:<br><b>AREA VARIANCE FOR A/C UNIT BUILDING SETBACK ENCRACHMENT.</b>   |                          |                       |   |    |     |                                     |                          |
| Name of Applicant or Sponsor:<br><b>J SNYDER BUILDERS LLC</b>  |                          | Telephone: [REDACTED] |   |    |     |                                     |                          |
|  |                          | E-Mail: [REDACTED]    |   |    |     |                                     |                          |
| Address:<br><b>23 DYER SWITCH RD</b>   |                          |                       |   |    |     |                                     |                          |
| City/PO:<br><b>SARATOGA SPRINGS, NY</b>  |                          | State:<br><b>NY</b>   | Zip Code:<br><b>12866</b>   |    |     |                                     |                          |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 3.a. Total acreage of the site of the proposed action?   |                          | <u>0.156</u> acres    |   |    |     |                                     |                          |
| b. Total acreage to be physically disturbed?   |                          | <u>0</u> acres        |   |    |     |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                          | <u>0.156</u> acres    |   |    |     |                                     |                          |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)   |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Parkland  |                          |                       |   |    |     |                                     |                          |



|  |  |  |
|--|--|--|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: BRANDON SMITH / J SNYDER BUILDERS

Date: 09/01/16

Signature: [Handwritten Signature]

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

K. A. ...  
(applicant signature)

Date: 8/11/16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_





**NOTES**

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

**DEED REFERENCE**

OAK RIDGE DEVELOPMENT, LLC TO THOMAS P. MEANEY AND KELLY MCGUIRE MADDEN DATED 30 JULY 2015 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE ON 3 AUGUST 2015 AS INSTRUMENT NO. 2015022679.

**MAP REFERENCE**

SUBDIVISION MAP OF PHASE 1 OAK RIDGE DATED 25 SEPTEMBER 2003 PREPARED BY DAVID F. BARRASS, LAND SURVEYOR AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE ON 7 JANUARY 2004 AS MAP O-140 A-BB.

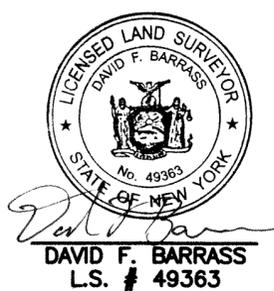
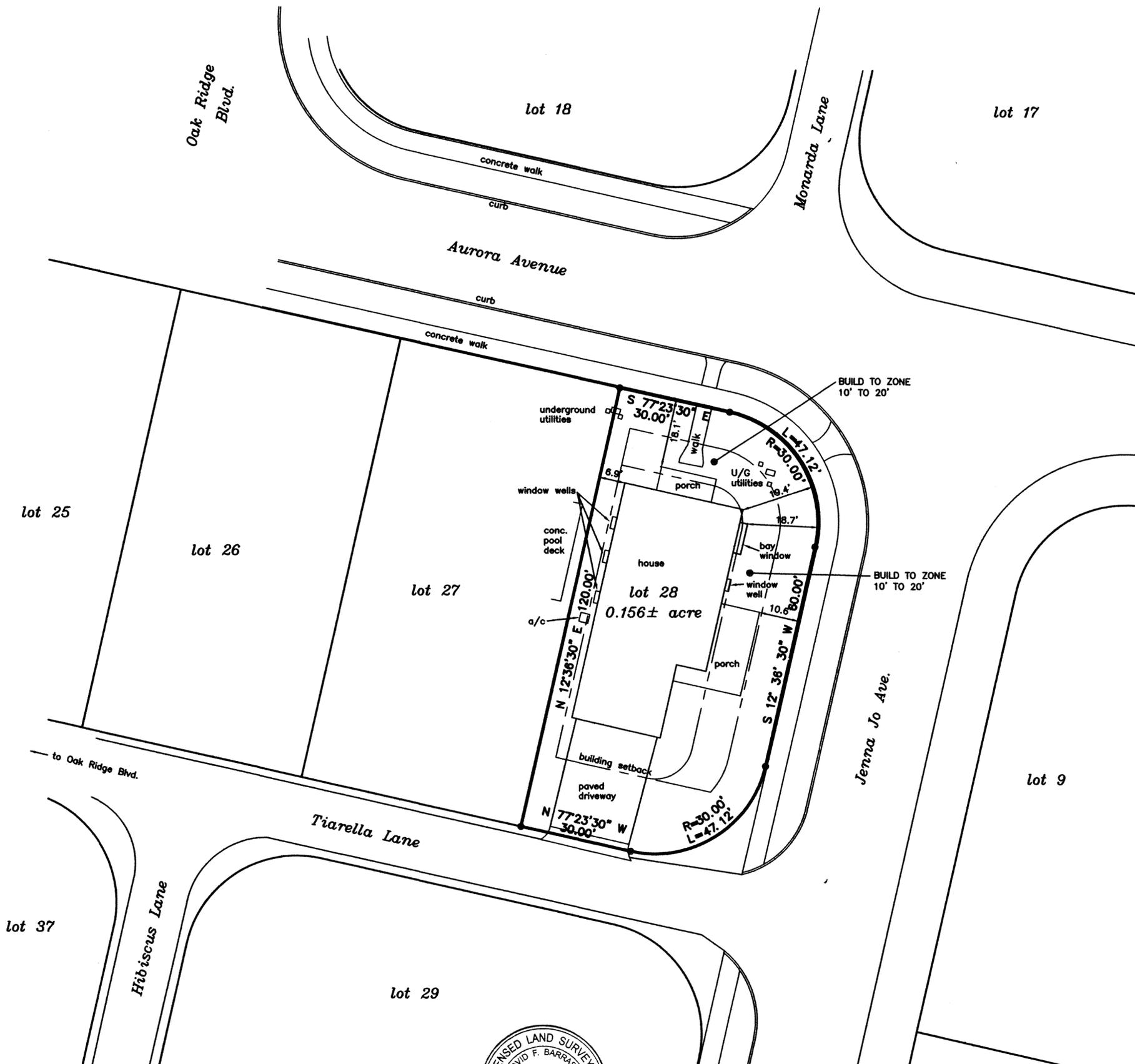
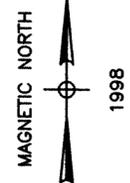
**TAX MAP REFERENCE**

CITY OF SARATOGA SPRINGS O.D. 180.10-3-39

**LOT STANDARDS**

**ALLEY LOTS - (18-31/33-42)**

LOT WIDTH 60' TO 120'  
 BUILD TO ZONE 10'-20'  
 GARAGE SETBACK 20' FROM REAR  
 SIDE SETBACK 5'  
 REAR SETBACK 20'  
 BUILDING COVERAGE 75%  
 MINIMAL LOT SIZE 6,000 S.F.



REVISED 8/31/16 CORRECTED BUILD TO ZONE

**SURVEYED BY**  
**DAVID F. BARRASS**  
**LAND SURVEYOR**  
 5 MAPLE STREET  
 CORINTH, NEW YORK

**MAP OF LOT 28**  
**9 AURORA AVENUE**  
**HOUSE LOCATION**  
 CITY OF SARATOGA SPRINGS, SARATOGA COUNTY  
 NEW YORK

SCALE:  
**1" = 20'**  
 FIELD SURVEY  
 COMPLETION:  
**8/12/16**  
 MAP COMPLETION:  
**8/15/16**  
 PROJECT NO.  
**03-003**

C:\WORK\03-003\LOT28R4.dwg, 8/31/2016 7:55:21 AM



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

APPLICATION FOR:  
APPEAL TO THE ZONING BOARD FOR AN  
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

| <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|----------------------|------------------------------------|-----------------------|
| Name _____           | _____                              | _____                 |
| Address _____        | _____                              | _____                 |
| Phon _____           | _____ / _____                      | _____ / _____         |
| Email _____          | _____                              | _____                 |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:     Owner     Lessee     Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: \_\_\_\_\_ Tax Parcel No.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: \_\_\_\_\_ 3. Zoning District when purchased: \_\_\_\_\_

4. Present use of property: \_\_\_\_\_ 5. Current Zoning District: \_\_\_\_\_

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):     Historic District     Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Is there a written violation for this parcel that is not the subject of this application?     Yes     No

10. Has the work, use or occupancy to which this appeal relates already begun?     Yes     No

11. Identify the type of appeal you are requesting (check all that apply):  
 INTERPRETATION (p. 2)     VARIANCE EXTENSION (p. 2)     USE VARIANCE (pp. 3-6)     AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief?  Yes  No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ . \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

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This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

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Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

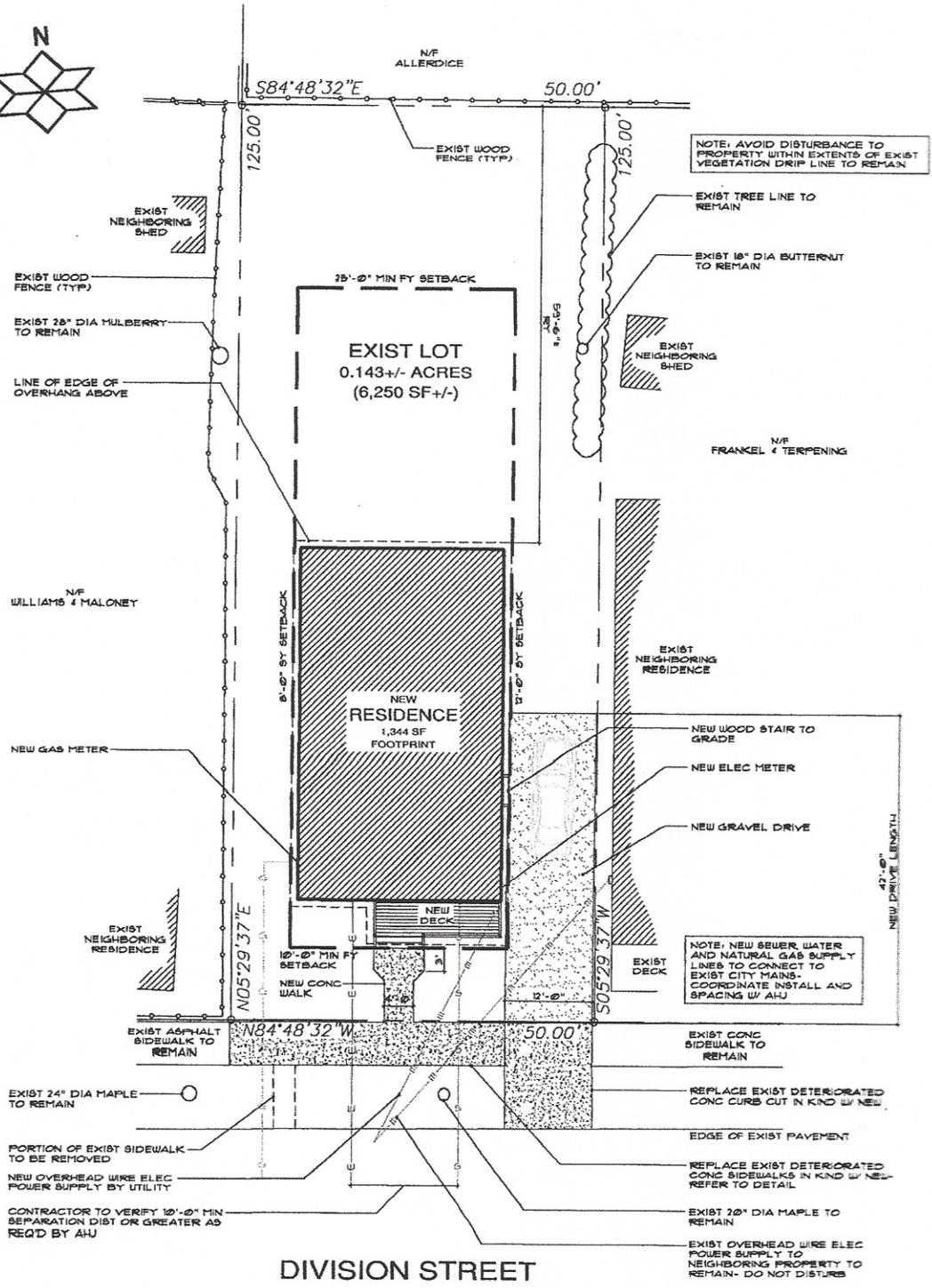
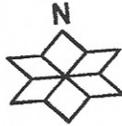
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Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE



1 Site Plan  
S-1 Scale: 1" = 10'-0"

NOTE: INFORMATION FOR THIS PLAN HAS BEEN TAKEN FROM A PROPERTY SURVEY BY THOMPSON FLEMING LAND SURVEYORS, P.C. FOR GLENS FALLS AREA HABITAT FOR HUMAN, INC. DATED: AUGUST 1, 2014



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---------|----------------------|------------------------------------|-----------------------|
| Name    | Michael Rosebrook    | Harold R. Albertson                | Eleanor Mullaney      |
| Address | [REDACTED]           | [REDACTED]                         | 494 Broadway, #212    |
| Phone   | [REDACTED]           | [REDACTED]                         | [REDACTED]            |
| Email   | [REDACTED]           | [REDACTED]                         | [REDACTED]            |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 16 E Harrison St Tax Parcel No.: 166 .45 - 4 - 17  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 1999 3. Zoning District when purchased: UR-3

4. Present use of property: Residential 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
 Obtain two-family variance with non-conforming lot

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

Article 2.3, Table 3

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| MINIMUM LOT SIZE                | 8,000 SF    | 5,188 SF  |
| MINIMUM AVERAGE LOT WIDTH       | 80 FT       | 49.5 FT   |
| MINIMUM SIDE SETBACK (DECK)     | 4 FT        | 1.0 FT    |
| MINIMUM REAR SEATBACK (DECK)    | 25 FT       | 8.2 FT    |
| ACCESSORY BLDG. SIDE SETBACK    | 5 FT        | 4.1 FT    |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Land is not available for purchase on any side of the property. The footprint of the house has been the same since prior to current zoning board regulations (pre-existing non-conformity). No additional development is being sought.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The home has been set up as a two-family for at least 25 years, likely longer. There is adequate parking in the driveway for four cars. The owner intends to occupy the residence and improve the aesthetic of the home to keep it within the character of the neighborhood. There are other pre-existing, non-conforming, two-family homes located in the same neighborhood and zoning district. As such, the variance would not produce an undesirable change in the character of the neighborhood, or a detriment to nearby properties.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The percentages of the variances are not substantial, and mostly relate to pre-existing non-conformities. The minimum side setback (deck), for instance, is the same side setback as the house itself, which is a pre-existing non-conformity. We believe the majority of the variances to pre-date the current zoning regulations.

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4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

There will be no adverse physical or environmental effects on the neighborhood or district. The home has been set up as a two family for at least 25 years and we are seeking no additional changes.

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5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The alleged difficulty was not self-created. The difficulty was created prior to ownership by Harold R. Albertson and prior to the applicant assuming ownership.

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DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Michael Roslund  
(applicant signature)

Date: 09/06/2016

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: Harold M. Abd

Date: 09/06/2016

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

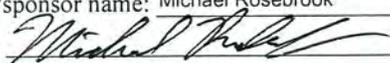
### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 - Project and Sponsor Information</b>  |                          |                       |   |    |     |                                     |                          |
|--|--------------------------|-----------------------|---|----|-----|-------------------------------------|--------------------------|
| Name of Action or Project:<br>Area Variance at 16 E Harrison St  |                          |                       |   |    |     |                                     |                          |
| Project Location (describe, and attach a location map):<br>16 East Harrison Street, Saratoga Springs, NY 12866   |                          |                       |   |    |     |                                     |                          |
| Brief Description of Proposed Action:<br>Obtain two-family variance for non-conforming lot   |                          |                       |   |    |     |                                     |                          |
| Name of Applicant or Sponsor:<br>Michael Rosebrook   |                          | Telephone: [REDACTED] |   |    |     |                                     |                          |
| Address:<br>[REDACTED]   |                          | E-Mail: [REDACTED]    |   |    |     |                                     |                          |
| City/PO:<br>[REDACTED]   |                          | State:<br>[REDACTED]  | Zip Code:<br>[REDACTED]   |    |     |                                     |                          |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |                          |                       | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO   | YES                      |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> |                       |   |    |     |                                     |                          |
| 3.a. Total acreage of the site of the proposed action?   |                          | 0.12 acres            |   |    |     |                                     |                          |
| b. Total acreage to be physically disturbed?   |                          | 0 acres               |   |    |     |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                          | 0 acres               |   |    |     |                                     |                          |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |                          |                       |   |    |     |                                     |                          |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)   |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |                          |                       |   |    |     |                                     |                          |
| <input type="checkbox"/> Parkland  |                          |                       |   |    |     |                                     |                          |



|  |  |  |
|--|--|--|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br/>         If Yes, explain purpose and size: _____<br/>         _____<br/>         _____</p>                                 | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br/>         If Yes, describe: _____<br/>         _____<br/>         _____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br/>         If Yes, describe: _____<br/>         _____<br/>         _____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: Michael Rosebrook _____ Date: September 2, 2016 _____</p> <p>Signature:  _____</p> |  |  |





Roohan  
Realty  
587-4500  
CORNER ROOM  
511.123.456

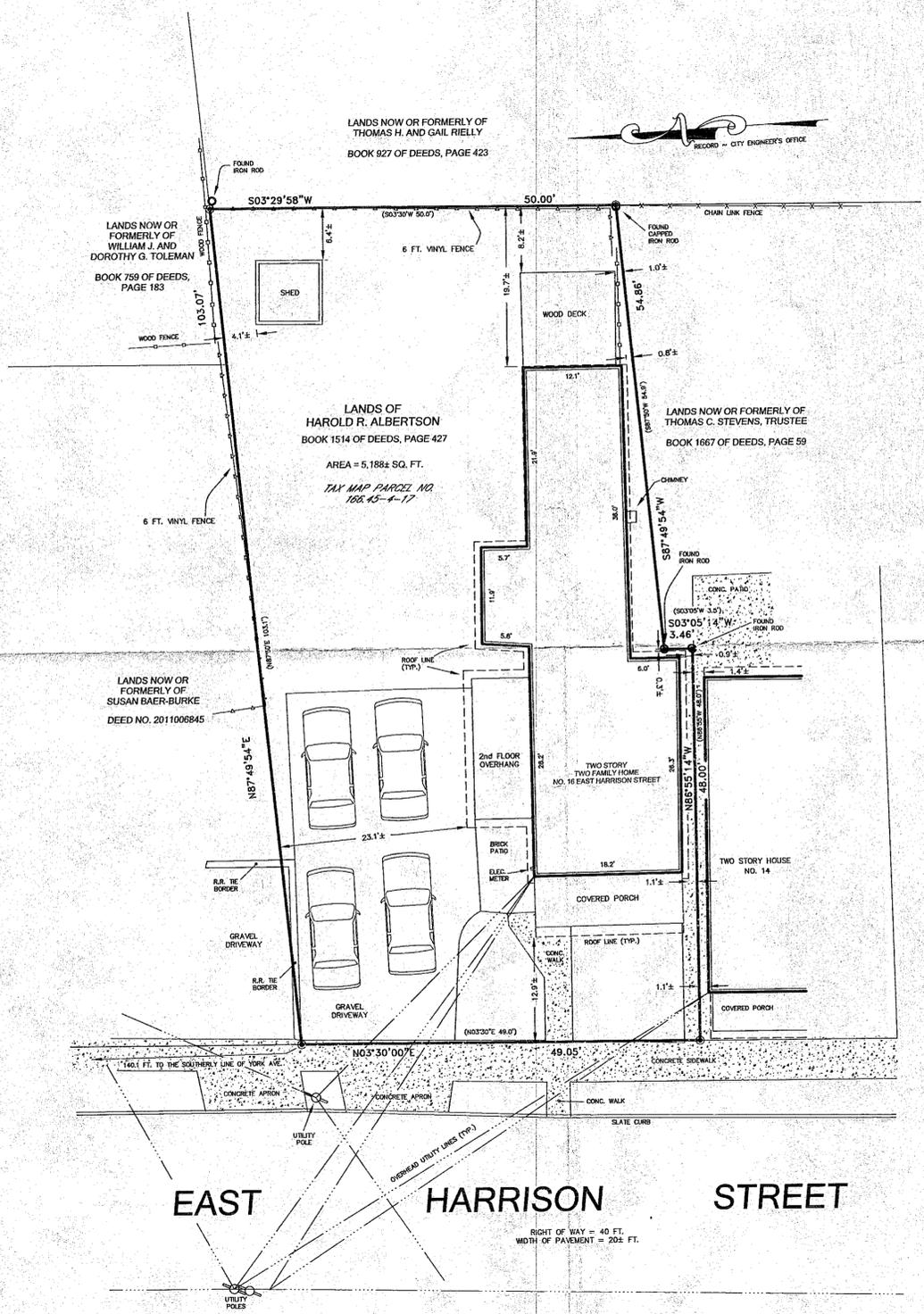












**VARIANCES REQUESTED**

| DIMENSIONAL REQUIREMENTS     | FROM          | TO            | RELIEF REQUESTED   |
|------------------------------|---------------|---------------|--------------------|
| MINIMUM LOT SIZE:            | 8,000 SQ. FT. | 5,188 SQ. FT. | 2812 SQ. FT. (35%) |
| MINIMUM AVERAGE WIDTH        | 80 FT.        | 49.5 FT.      | 30.5 FT. (38%)     |
| MIN. SIDE SETBACK (DECK)     | 4 FT.         | 1.0 FT.       | 3 FT. (75%)        |
| MINIMUM REAR SETBACK (DECK)  | 25 FT.        | 8.2 FT.       | 16.8 FT. (67%)     |
| ACCESSORY BLDG. SIDE SETBACK | 5 FT.         | 4.1 FT.       | 0.9 FT. (18%)      |

**EXISTING LOT COVERAGE:**

EXISTING BUILDING MEASURED TO ROOF LINE), INCLUDING DECK = 1,500± SQ. FT. OR 29% OF LOT

**ZONING INFORMATION:**

ZONING DISTRICT: UR-3  
 MINIMUM LOT SIZE:  
 6,600 SQ. FT. - 1 UNIT  
 8,000 SQ. FT. - 2 UNITS  
 MINIMUM MEAN LOT WIDTH:  
 60 FT. - 1 UNIT  
 80 FT. - 2 UNITS  
 MAXIMUM PERCENT OF LOT TO BE OCCUPIED BY:  
 PRINCIPAL BUILDING: 30 %  
 ACCESSORY BUILDING: 10%  
 MINIMUM YARD DIMENSIONS:  
 FRONT: 10 FT.  
 REAR: 25 FT.  
 ONE SIDE: 4 FT.  
 TOTAL SIDE: 12 FT.  
 PRINCIPAL BUILDING:  
 MINIMUM FIRST FLOOR AREA:  
 1 STORY: 1,200 SQ. FT.  
 2 STORY: 800 SQ. FT.  
 MAXIMUM BUILDING HEIGHT: 60 FT.  
 MINIMUM DISTANCE FROM ACCESSORY BUILDING TO:  
 PRINCIPAL BUILDING: 5 FT.  
 FRONT LOT LINE: 10 FT.  
 SIDE LOT LINE: 5 FT.  
 REAR LOT LINE: 5 FT.  
 MINIMUM PERCENT OF LOT TO BE PERMEABLE: 25%

**DEED REFERENCE:**

- 1.) DEED DATED MARCH 17, 1999 FROM ANDREW CUOMO, SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO HAROLD R. ALBERTSON AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1514 OF DEEDS AT PAGE 427.

**NOTES:**

- 1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR A TITLE REPORT.
- 2.) OFFSET DIMENSIONS ARE MEASURED TO ROOF LINES.
- 3.) BEARINGS AND DISTANCES IN PARENTHESIS ARE PER DEED.

DANIEL C. WHEELER  
P.L.S. LIC. NO. 50,137

**SURVEY** DANIEL C. WHEELER, L.S.  
**ASSOCIATES, LLC**  
 PROFESSIONAL LAND SURVEYING

432 BROADWAY, SUITE 5, SARATOGA SPRINGS, NY 12866  
 PH. (518) 583-7302 FAX (518) 583-7303

UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209, SUB-PARAGRAPH (2) OF THE NEW YORK STATE EDUCATION LAW.

TITLE:  
**SURVEY OF LANDS OF HAROLD R. ALBERTSON**

LOCATION: CITY OF SARATOGA SPRINGS (INSIDE DISTRICT) SARATOGA COUNTY, NEW YORK  
 DATE: AUGUST 30, 2016  
 SCALE: 1 INCH = 10 FEET  
 MAP NO. 2015-02-04

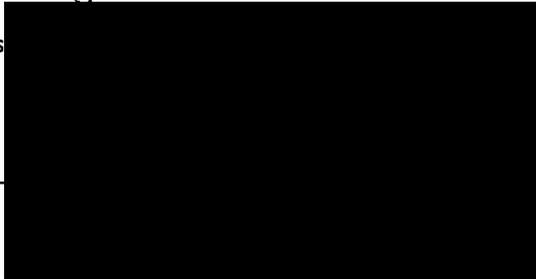


# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

|                  |
|------------------|
| [FOR OFFICE USE] |
| _____            |
| (Application #)  |
| _____            |
| (Date received)  |

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

| <u>APPLICANT(S)*</u>  | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---|------------------------------------|-----------------------|
| Name <u>Benjamin D + Leah M Nathan</u>  | _____                              | _____                 |
| Address  | _____                              | _____                 |
| Phone _____   | <u>/</u>                           | <u>/</u>              |
| Email _____   | _____                              | _____                 |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

- Property Address/Location: 36 Bensonhurst Ave Tax Parcel No.: 105.57-1-14  
(for example: 165.52-4-37)
- Date acquired by current owner: 9/2/09
- Zoning District when purchased: UR-2, Urban Residential 2
- Present use of property: residential
- Current Zoning District: UR-2, Urban Residential 2
- Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No
- Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?
- Brief description of proposed action: Two story garage with home office  
above.
- Is there a written violation for this parcel that is not the subject of this application?  Yes  No
- Has the work, use or occupancy to which this appeal relates already begun?  Yes  No
- Identify the type of appeal you are requesting (check all that apply):  
 INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) article # 240-2.3

| <u>Dimensional Requirements</u>  | <u>From</u> | <u>To</u>               |
|--|-------------|-------------------------|
| <u>Table 2 and Appendix A</u>  | _____       | _____                   |
| <u>Definition to allow a home office/<br/>home occupation in a garage</u>      | _____       | _____                   |
| <u>Article 6.4.3 15% max floor area<br/>compared to house sf<br/>(1914 sf)</u> | <u>15%</u>  | <u>33%<br/>(650 sf)</u> |

Other: \_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

We are looking to expand our usable space inside our current home as our family grows and needs change. Our plan is to move the current office space to above the garage, and use the space currently being used as an office as childrens bedroom space.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The new structure is in keeping with the style of the original house. We currently do not have a garage and several of our immediate neighbors have detached garages on their properties.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The request may be considered substantial as per SF requirements. But it wouldn't make sense to not use the whole 2nd floor above the garage for the home office purpose.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The variance will not have an adverse effect because its a similar style to our home. We are also planning on installing solar panels on the garage to offset any environmental impact.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

Although the difficulty is self created, the need to convert the current home office to childrens bedroom space requires the new space to be created. We have planned the new 2 car garage for a while and it makes most sense to use the area above for needed office.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)  
  
\_\_\_\_\_  
(applicant signature)

Date: 7/28/16

Date: 7/28/16

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

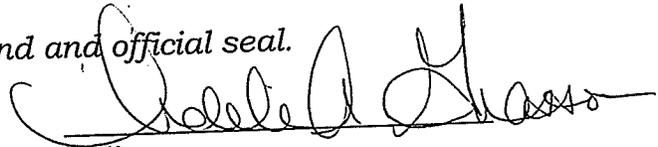
State of New York)

)SS:

County of SARATOGA )

On this, the 28 day of JULY, 2016, before me a notary public, the undersigned officer, personally appeared BESSAM J. PERAZZ, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.



Notary Public

**ADELE GRASSO**  
Notary Public, State of New York  
Saratoga Co. #01GR5017243  
My Commission Expires 8-30-2017

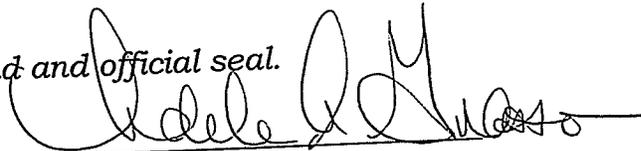
State of New York)

)SS:

County of SARATOGA )

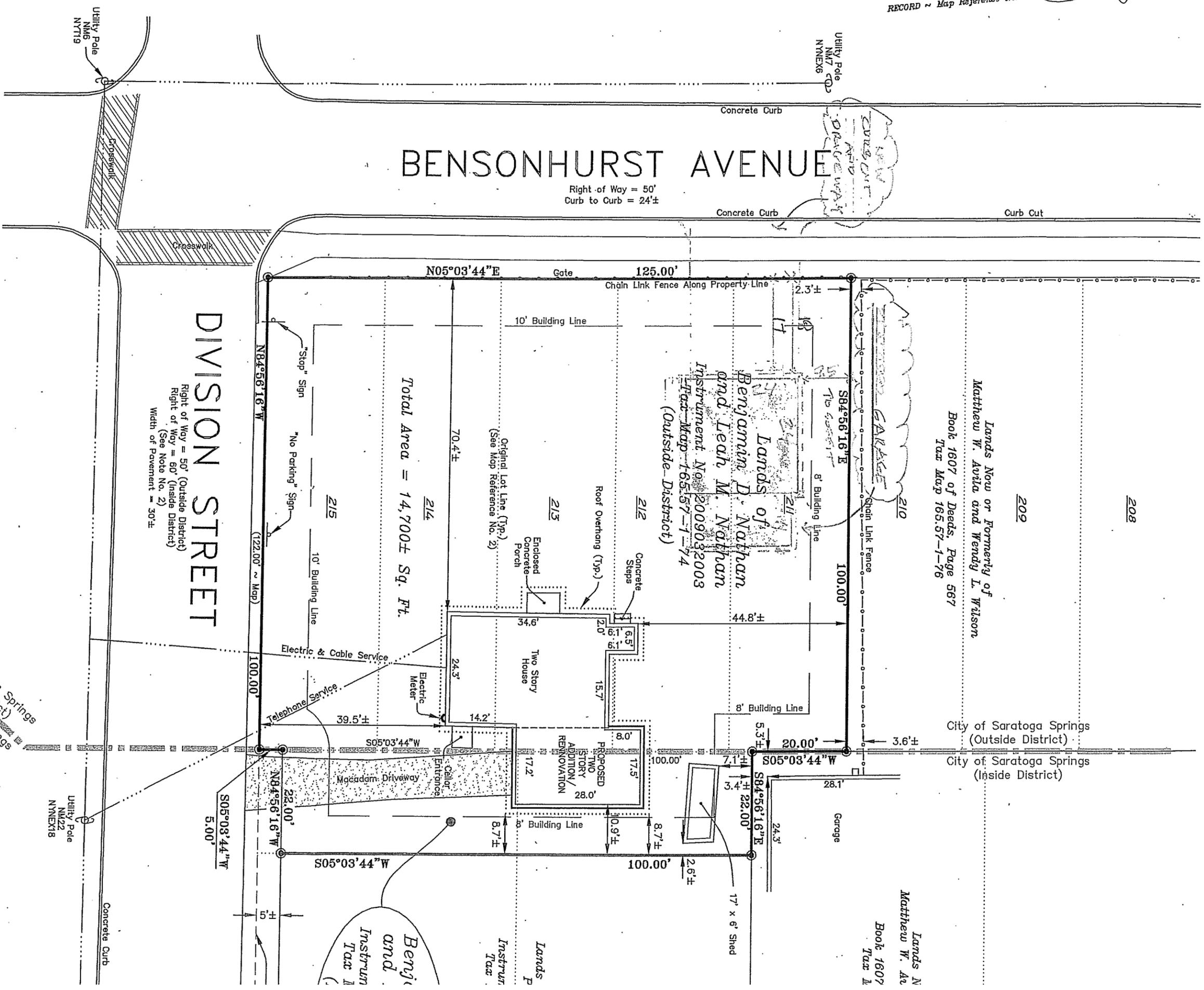
On this, the 28 day of JULY, 2016, before me a notary public, the undersigned officer, personally appeared WENH NATANAL known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.



Notary Public

**ADELE GRASSO**  
Notary Public, State of New York  
Saratoga Co. #01GR5017243  
My Commission Expires 8-30-2017



I HEREBY CERTIFY TO:

1.) BENJAMIN D. NATHAN and LEAH M. NATHAN

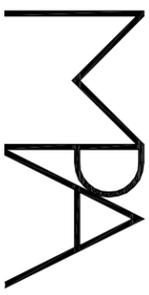
THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

PAUL F. TOMMELL

P.L.S. P.C. NO. 49,192

MAP REFERENCES:

1.) MAP ENTITLED "LOT LINE ADJUSTMENT LANDS OF SUZANNE M. SAND", DATED JULY 8, 2008, MADE BY TOMMELL & ASSOCIATES, AND FILED IN THE SARATOGA COUNTY CLERKS OFFICE ON SEPTEMBER 24, 2008, AS



RESIDENTIAL  
COMMERCIAL  
ARCHITECTURE

MICHAEL P. PERRI  
ARCHITECT

8 Jumel Place  
Saratoga Springs, NY 12866  
518.526.9265  
www.michaelperriarchitect.com

DETACHED  
GARAGE  
ADDITION TO:  
36 BENSONHURST  
AVENUE  
Saratoga Springs, New York

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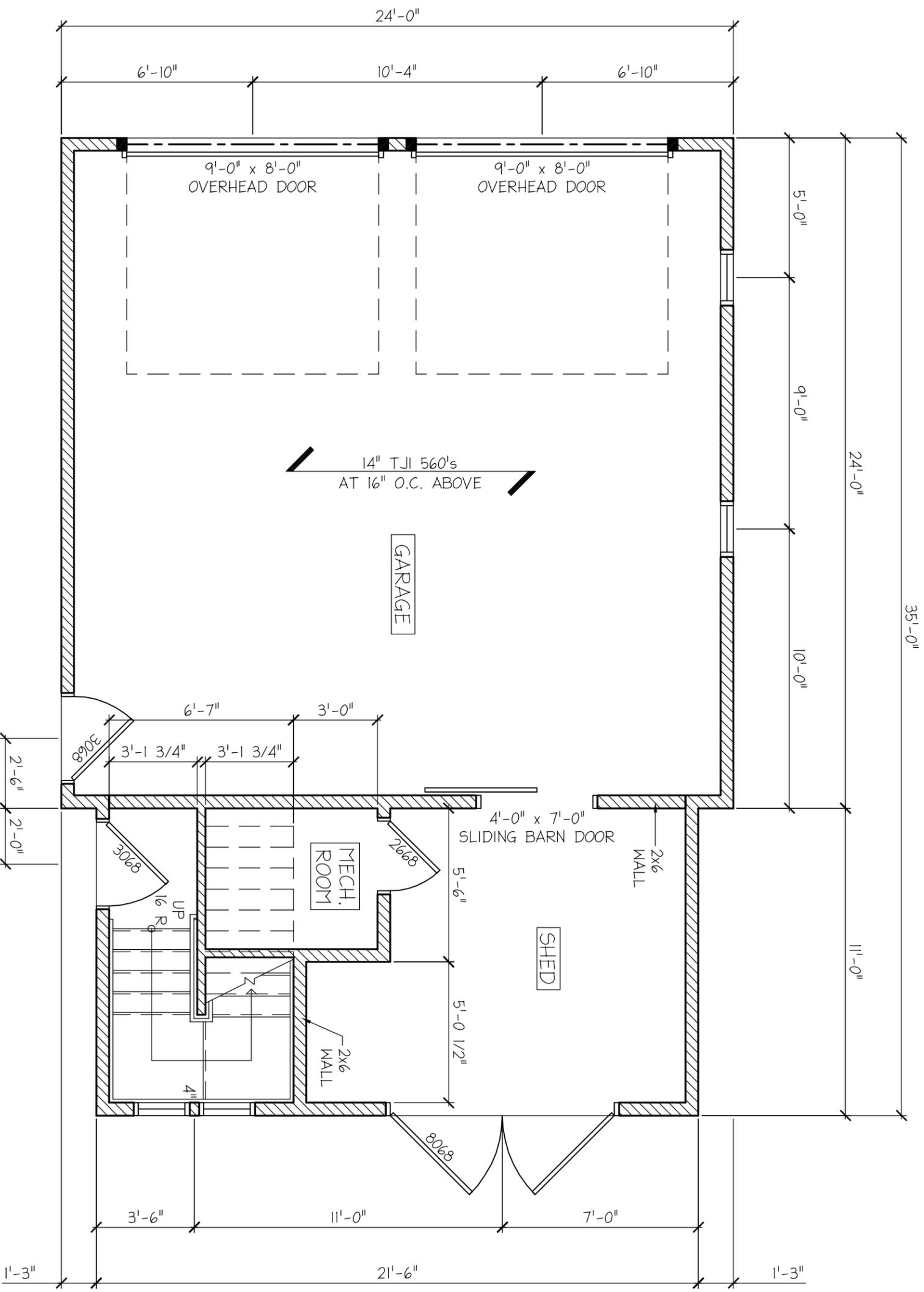
DATE: 7/15/2016

SCALE: AS NOTED

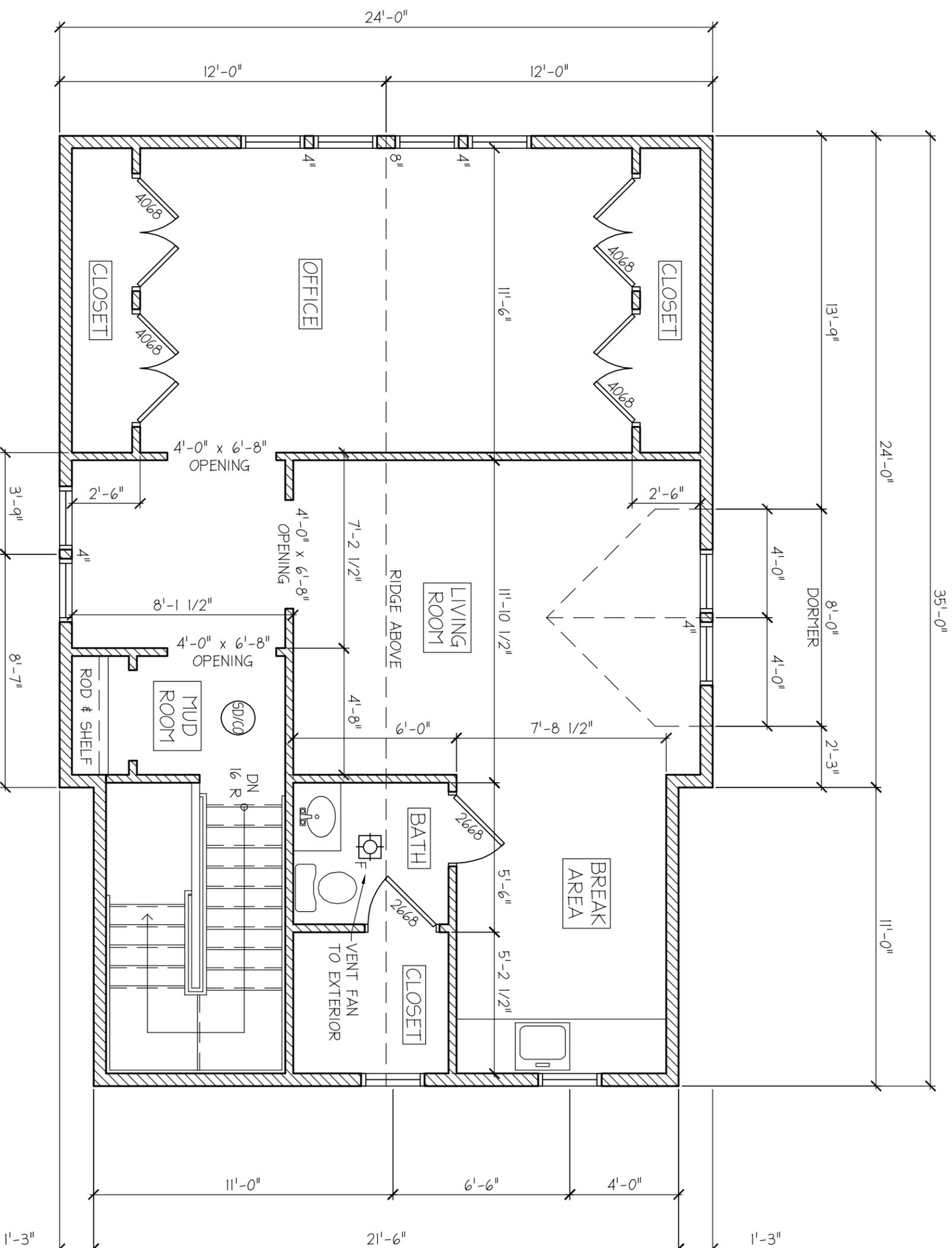
SHEET NUMBER

A101

1st FLOOR PLAN

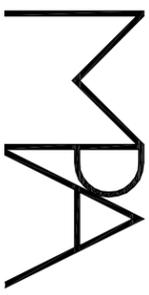


1 GARAGE PLAN  
A101 1/4" = 1'-0"



1  
A102 2nd FLOOR PLAN  
1/4" = 1'-0"





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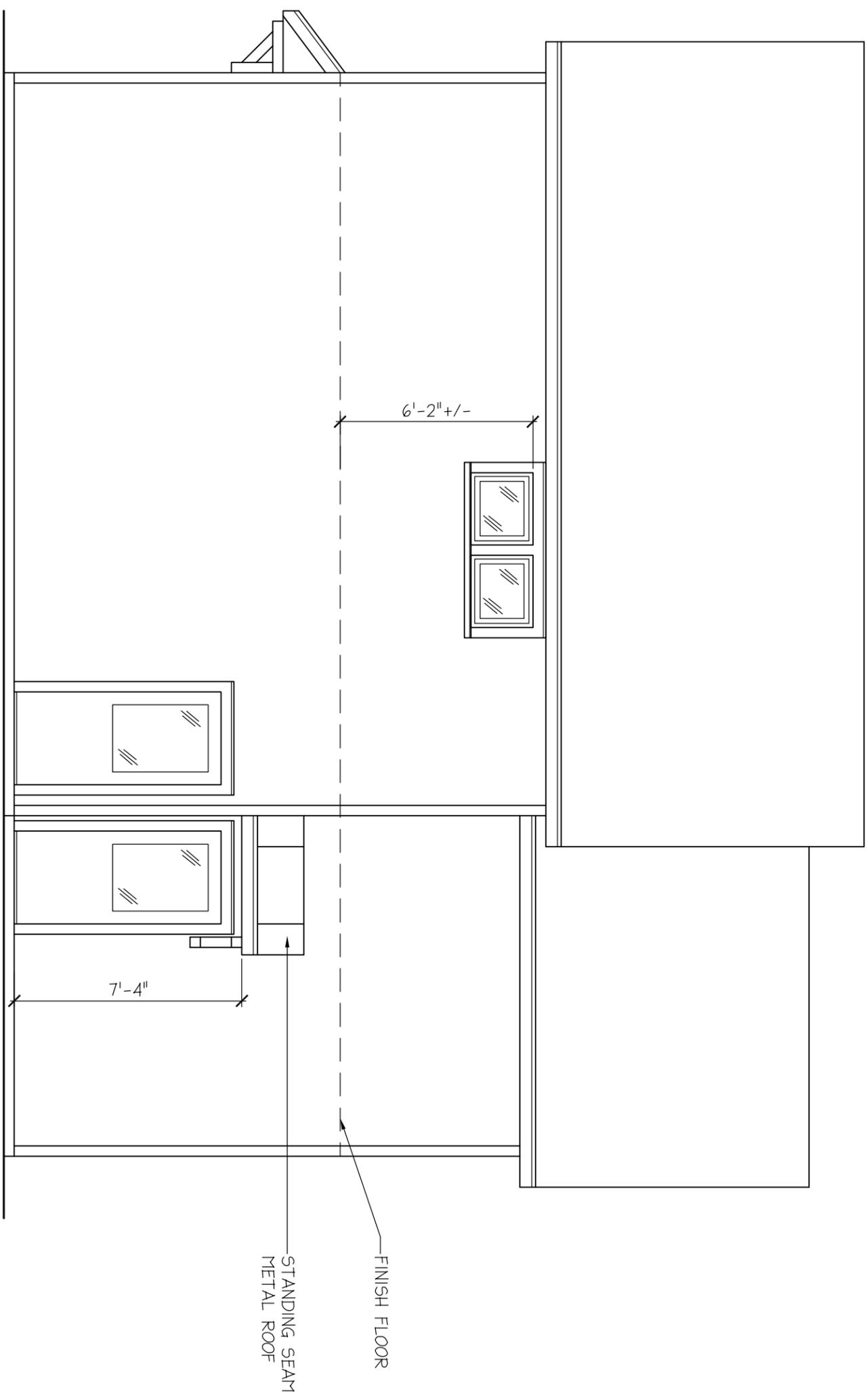
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SCALE: AS NOTED

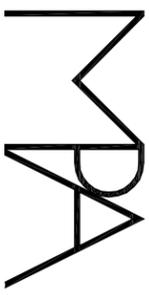
SHEET NUMBER

A202

SIDE ELEVATION



1 SIDE ELEVATION  
A202 1/4" = 1'-0"



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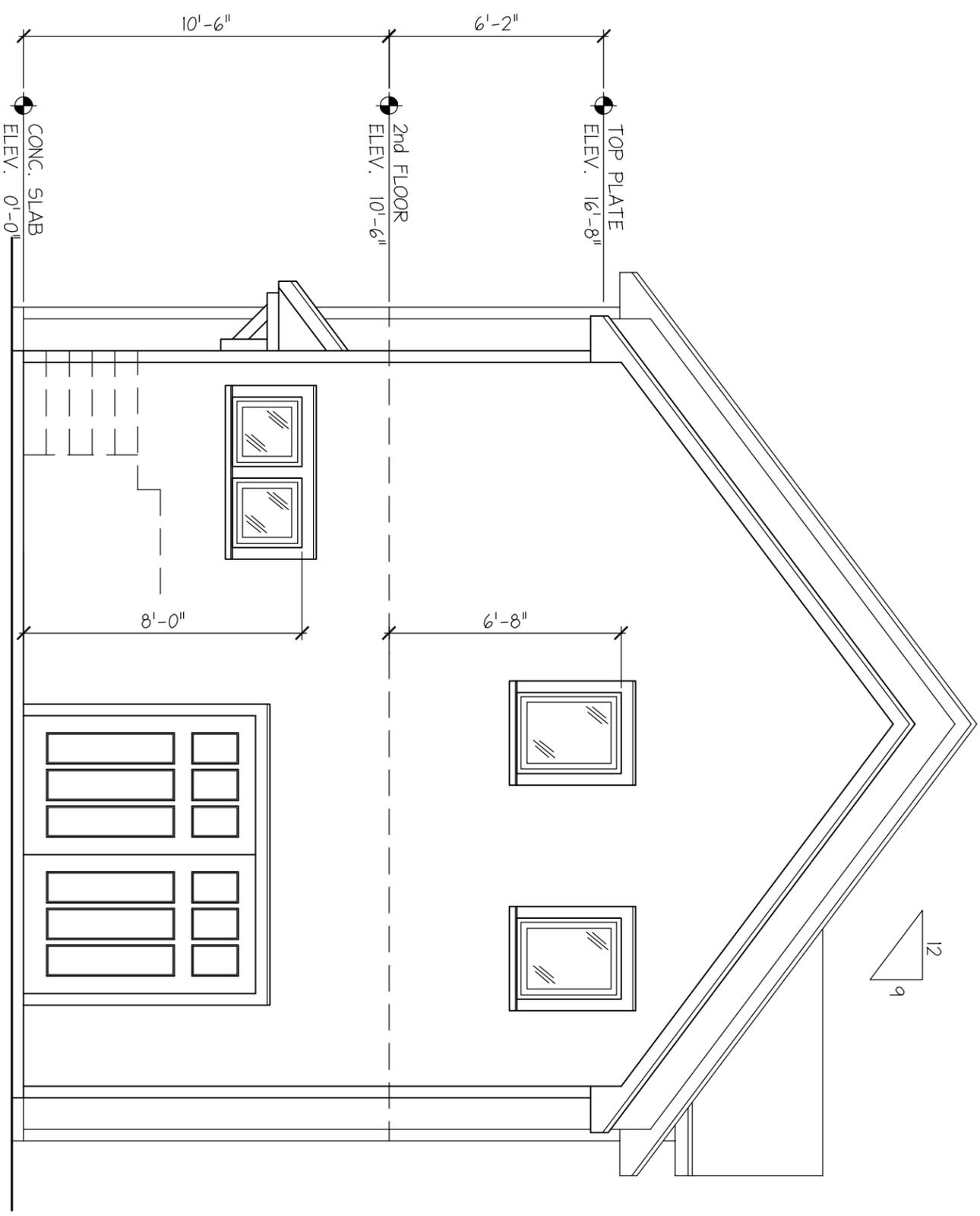
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SCALE: AS NOTED

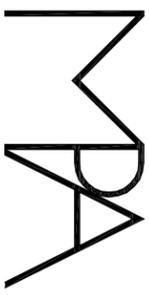
SHEET NUMBER

A203

REAR ELEVATION



1 REAR ELEVATION  
A203 1/4" = 1'-0"



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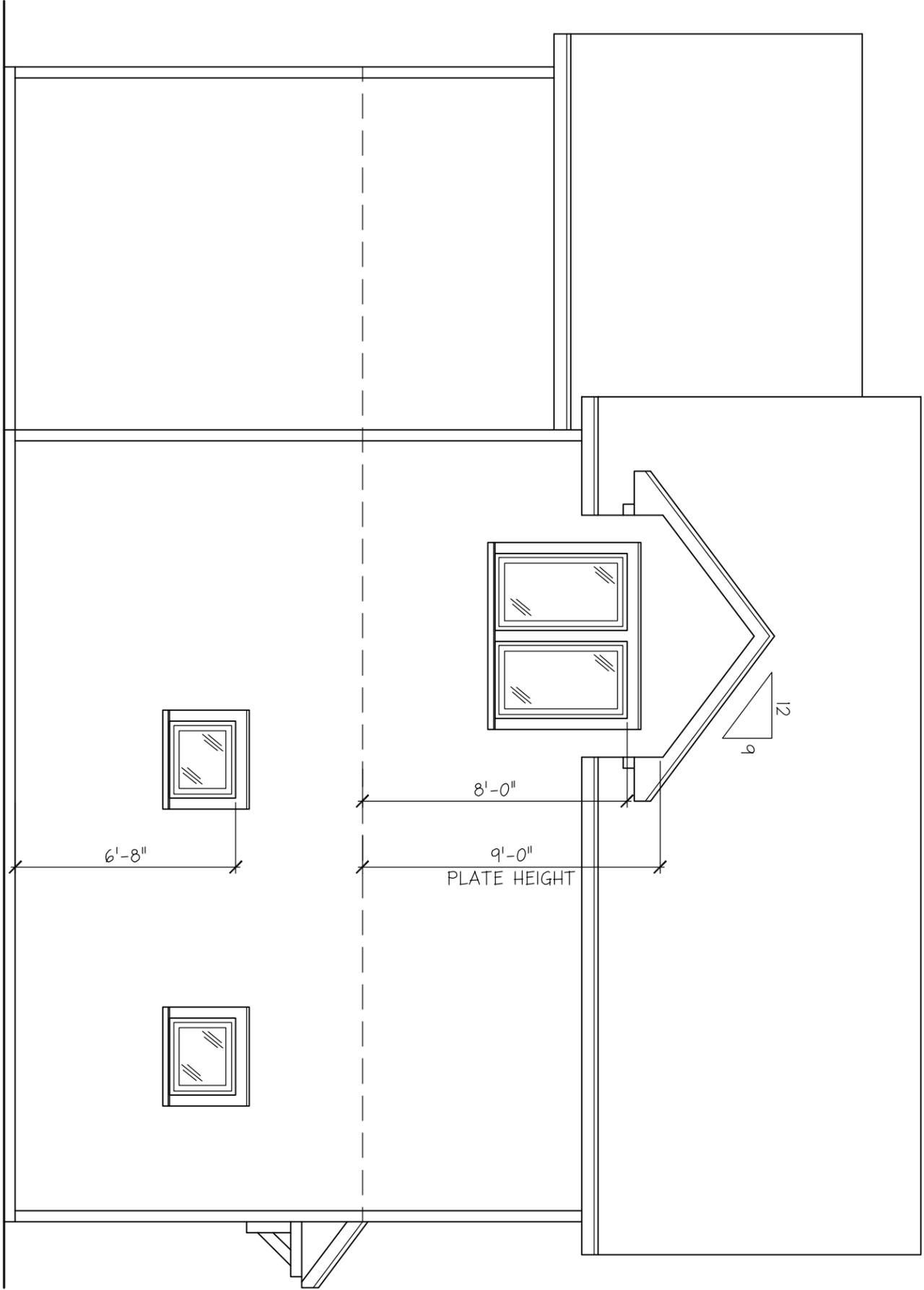
DATE: 7/15/2016

SCALE: AS NOTED

SHEET NUMBER

A204

SIDE ELEVATION



1 SIDE ELEVATION  
A204 1/4" = 1'-0"









# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | APPLICANT(S)*    | OWNER(S) (If not applicant) | ATTORNEY/AGENT                                  |
|---------|------------------|-----------------------------|---|
| Name    | Chris Obstarczyk | (same)                      | Tonya Yasenchak, Engineering America Co.        |
| Address | [REDACTED]       | [REDACTED]                  | 76 Washington St.<br>Saratoga Springs, NY 12866 |
| Phone   | [REDACTED]       | /                           | [REDACTED]                                      |
| Email   | [REDACTED]       | [REDACTED]                  | [REDACTED]                                      |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: # 147 Spring St. Tax Parcel No.: 166 61 3 33  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: April 2016 3. Zoning District when purchased: UR-3

4. Present use of property: Single Family Residence 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Demolition of existing 2 story accessory structure and construction of new 2 story accessory structure for use as 2 car garage with storage

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):  
 INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief?  Yes  No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Sec.3:Table 2 Area & Bulk

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>  | <u>From</u> | <u>To</u>            |
|--|-------------|----------------------|
| Accessory Building: Min. Side Yard Setback   | 5           | 4', 4.25', 3.3' & 3' |
| Accessory Building: Min. Distance to Principal Building<br>(overhang of garage to deck step) | 5           | 2.7'                 |
| _____  | _____       | _____                |
| _____  | _____       | _____                |
| _____  | _____       | _____                |
| _____  | _____       | _____                |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The benefit of a 2 car garage cannot be achieved by other feasible means: 1) Attaching garage to the house: This option is not feasible as the lot is only 52' in width & the home is at 12.8' from the west property line. Any addition to the West side of the house would require variances for side setback and for overall coverage of the principal structure. Also, attaching a garage to the side of the house would limit light into the home and would locate the garage closer to the neighboring house than current conditions. 2) Reducing the Size of the Garage: The current structure that will be removed, sits inside a property line "jog". This "jog" allows the garage to be sited further from the house. However, the current garage sits only 0.2' from one of the side property lines. The proposed garage is 20' width which is the smallest recommended for 2 cars. A size reduction is not preferred will only allow for a one car garage is not in the applicant's best financial benefit. 3) Relocation of the Garage: This alternative is not a preferred option as locating the garage further back in the yard reduces the usable rear yard for the applicants' children & increases the driveway length & impermeable surface 4) Renovation of Existing Structure: The existing structure could possibly be repaired but would require the structure to be lifted for a new foundation; The site is limited in size to allow for this. Also, the existing ceiling is too short to accommodate a vehicle, garage door, etc. & would require extensive construction & costs. It should be less expensive for the applicant to build the new structure.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Granting the variances should not produce an undesirable change in the character of the neighborhood:

- 1) The proposed garage location relocates the structure further from the West property lines and therefore further away from the neighbor to the West.
- 2) The variance for min. distance to the principal structure will not be visible from Spring St. and therefore have little / no effect on the neighborhood. Also, this requested variance is based on the garage roof overhang distance to the deck step. The garage roof overhang will be approx. 4.5' from the rear wood deck and approx. 12' to the actual house. Visually, the garage will not appear closer than the required 5' from the house when viewed from the street.
- 3) The site is located within a DRC district. Therefore the aesthetics of the new structure will be reviewed for architectural consistency with the house & neighborhood prior to permitting & construction.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variances may appear substantial. However, we do not believe they are substantial in relation to the existing conditions:

- 1) The side setbacks for the existing accessory structure to be removed are 0.2', 1.7' & 2.0' (+/-). The requested variances reflect a structure location which actually improves / increases the setbacks to 4.3', 3.3' and 3.0'.
- 2) The site width is pre-existing / non-conforming at 52' and limits siting an accessory structure.
- 3) The house location is pre-existing / non-conforming & limits the siting of an accessory structure.

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4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The variances should not have any adverse physical or environmental effects on the neighborhood or district:

- 1) The overall footprint of the proposed accessory structure is 632 sq.ft. (+/-). At this 9.0% coverage, it is below the max. coverage for an accessory structure.
- 2) The location for the proposed structure minimizes the length of driveway for access. The proposed project falls does not exceed the min. percentage of permeable lot (see attached lot permeability calculations).
- 3) The proposed structure will not be located further from the West side property lines. This results in roof drainage onto the applicant's site and no longer onto the neighbors site.
- 4) No large trees will be removed for this project.
- 5) The proposed structure will be located further away from the West neighbor's house than what currently exists, resulting in slightly better sunlight to the neighbors' yard.

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5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The alleged difficulty is self created only in fact that it is the applicant's desire to construct a a new accessory structure to accomodate weather protected parking and storage. The site limitations of the width are pre-existing / non-conforming and not self-created.

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DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

[Handwritten Signature]  
(applicant signature)

Date: 8-15-16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: (SAME AS ABOVE)

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

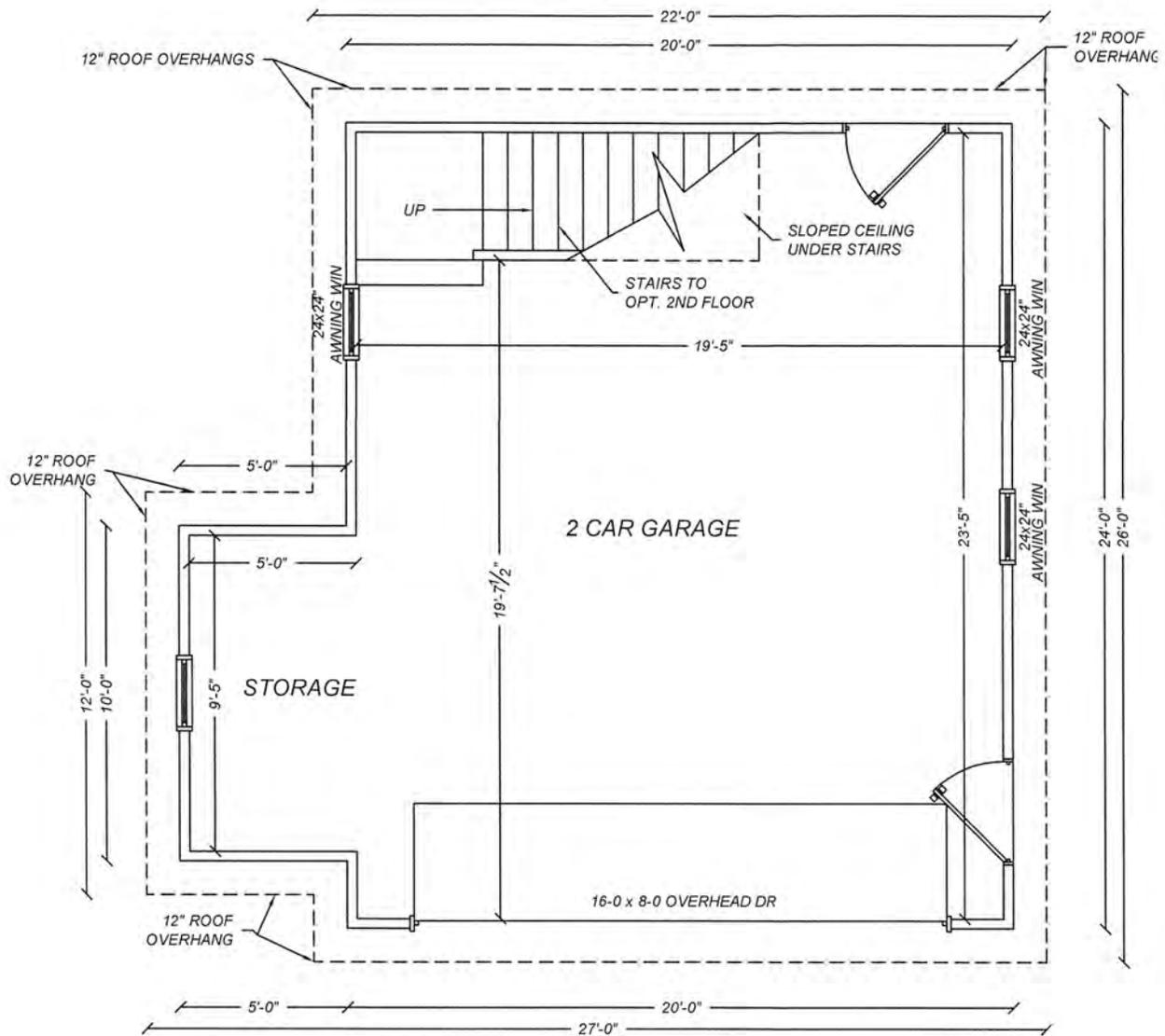
Date: \_\_\_\_\_

#147 Spring St.

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

TABLE 3: AREA AND BULK SCHEDULE

| ZONING DISTRICT | MINIMUM LOT SIZE SQUARE FEET (SF) | MINIMUM AVERAGE WIDTH (FT.) | MAXIMUM BUILDING COVERAGE PERCENTAGE |               | MIN. YARD SETBACK (FEET) |      |           |            | PRINCIPAL BUILDINGS                     |                    |                    |                | MINIMUM DISTANCE TO ACCESSORY BUILDING (FEET) |               |                    |                | MINIMUM % TO REMAIN PERMEABLE |
|-----------------|-----------------------------------|-----------------------------|--------------------------------------|---------------|--------------------------|------|-----------|------------|---|--------------------|--------------------|----------------|---|---------------|--------------------|----------------|-------------------------------|
|                 |                                   |                             | PRINCIPAL BLDG.                      | ACCESS. BLDG. | FRONT                    | REAR | EACH SIDE | TOTAL SIDE | MINIMUM 1 <sup>ST</sup> FLOOR AREA (SF) | MAX. HEIGHT (FEET) | PRINCIPAL BUILDING | FRONT LOT LINE | SIDE LOT LINE                                 | REAR LOT LINE | PRINCIPAL BUILDING | FRONT LOT LINE |                               |
| RR (F)          | 2 acres                           | 200                         | 15                                   | 5             | 60                       | 100  | 30        | 100        | 30                                      | 100                | -----              | -----          | 5   | 60            | 30                 | 50             | 80                            |
| SR-1 (F)        | 40,000                            | 125                         | 20                                   | 8             | 40                       | 40   | 15        | 35         | -----                                   | -----              | -----              | -----          | 5   | 40            | 10                 | 10             | 40                            |
| SR-2            | 20,000 (A)                        | 100                         | 25                                   | 8             | 30                       | 30   | 12        | 30         | -----                                   | -----              | -----              | -----          | 5   | 30            | 5                  | 5              | 30                            |
| UR-1            | 12,500 (A)                        | 100                         | 20                                   | 8             | 30                       | 30   | 12        | 30         | 1 Story = 1,100<br>2 Story = 800        | 60                 | 5                  | 5              | 5   | 30            | 5                  | 5              | 30                            |
| UR-2            | 6,600 (A)                         | 60                          | 30                                   | 10            | 10                       | 25   | 8         | 20         | 1 Story = 900<br>2 Story = 700          | 60                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 25                            |
| UR-3            | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units   | 30                                   | 10            | 10                       | 25   | 4         | 12         | 1 Story = 1,200<br>2 Story = 800        | 60                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 25                            |
| UR-4            | 3,000/DU                          | 100                         | 25                                   | 15            | 25                       | 25   | 20        | 45         | 1 Story = 1,800<br>2 Story = 1,200      | 70                 | 10                 | 5              | 5   | 25            | 5                  | 5              | 15                            |
| UR-4A           | 2,000/DU                          | 60 1-unit /<br>80 2-units   | 30                                   | 10            | 10                       | 25   | 4         | 12         | 1 Story = 1,200<br>2 Story = 800        | 70                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 15                            |
| UR-5            | 3,000/DU                          | 100                         | 25                                   | 15            | 25                       | 25   | 20        | 45         | 1 Story = 1,800<br>2 Story = 1,200      | 185                | 20                 | 10             | 10  | 20            | 10                 | 10             | 15                            |
| UR-6            | 4,800                             | 60                          | 30                                   | 10            | 25                       | 25   | 8         | 20         | 900                                     | 35                 | 5                  | 5              | 5   | 25            | 5                  | 5              | 25                            |
| UR-7            | 4,000                             | 50                          | 45                                   | 10            | 10                       | 10   | 4         | 8          | 1,000                                   | 35                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 20                            |
| NCU-1           | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units   | 30                                   | 10            | 10                       | 25   | 4         | 12         | 1 story = 1,200<br>2 story = 800        | 60                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 25                            |
| NCU-2           | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units   | 30                                   | 10            | 10                       | 25   | 4         | 12         | 1 story = 1,200<br>2 story = 800        | 60                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 25                            |
| NCU-3           | 3,000/DU                          | 60 (H)                      | 30                                   | 10            | 10 (I)                   | 25   | 4 (J)     | 12         | 1 story = 1,800<br>2 story = 1,200      | 50                 | 5                  | 5              | 5   | 10            | 5                  | 5              | 20                            |



OBSTARCYK GARAGE  
 #147 SPRING ST.  
 SARATOGA SPRINGS, NY

**PROPOSED  
 MAIN FLOOR PLAN**

8/15/2016

SCALE: 3/16" = 1' 0"

DESIGN BY:  
 ENGINEERING AMERICA CO.  
 76 WASHINGTON ST., SARATOGA SPRINGS, NY  
 518 / 587 - 1340

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: Chris Obstarczyk TAX PARCEL NO.: 166 61 3 33  
 PROPERTY ADDRESS: 147 Spring St. ZONING DISTRICT: UR-3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:  
 Demolition of existing accessory structure and construction of new (2) story, 2 car garage.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)  
 \_\_\_\_\_ . As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
 ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
 DATE

Obstarczyk Garage:

#147 Spring St., Saratoga Springs, NY



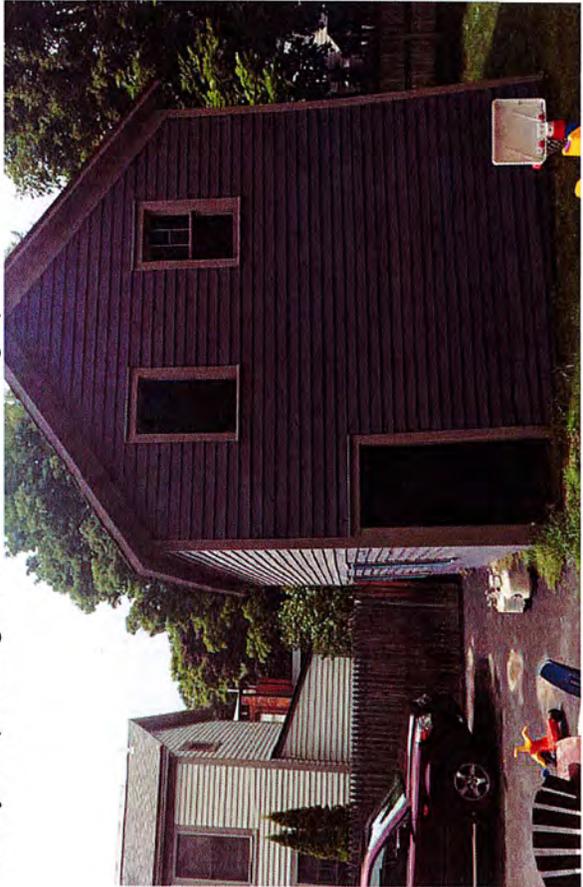
Front / South of existing structure as viewed facing North from project site driveway



North / Rear of existing structure as viewed facing South from project rear yard



Property to the West / Left of project site as viewed facing West from yard (existing structure is at the right)



East / Right of existing structure as viewed facing West from project site back yard

Obstarczyk Garage:

#147 Spring St., Saratoga Springs, NY



View of project site rear yard along West property line (existing structure at left & neighboring property beyond fence)



View of project site rear yard along North property line with neighboring property beyond fence



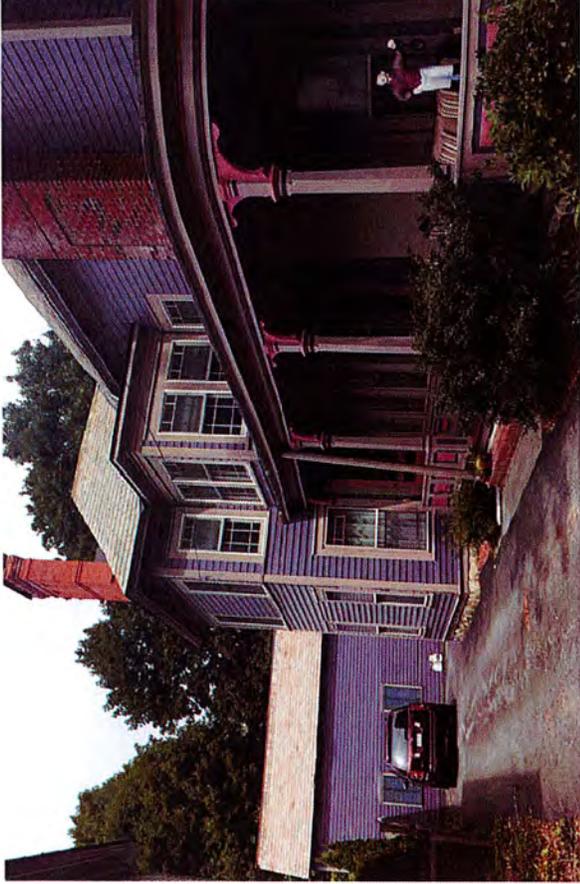
View of East / Right rear yard as viewed facing East with neighboring property beyond fence



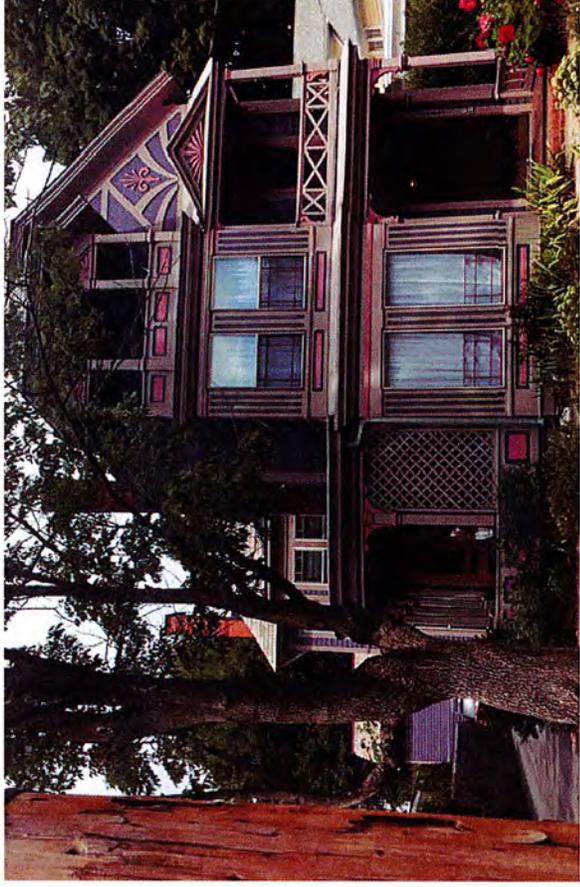
View of project site rear yard facing South East towards residence with neighboring property beyond fence

Obstarczyk Garage:

#147 Spring St., Saratoga Springs, NY



Left / West elevation of existing home as viewed facing North from Spring St.



Front / South elevation of existing home as viewed facing North from Spring St.



Neighboring property to the West as viewed facing North West from Spring St.



View of project site down existing driveway facing North from Spring St. (applicants' house to the right)

Obstarczyk Garage:

#147 Spring St., Saratoga Springs, NY



Properties across Spring St. to the South East of project site

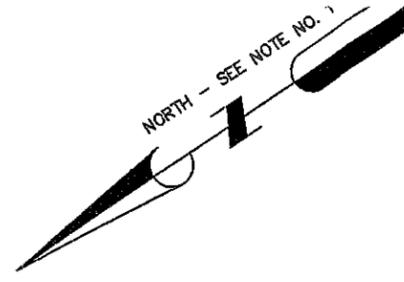
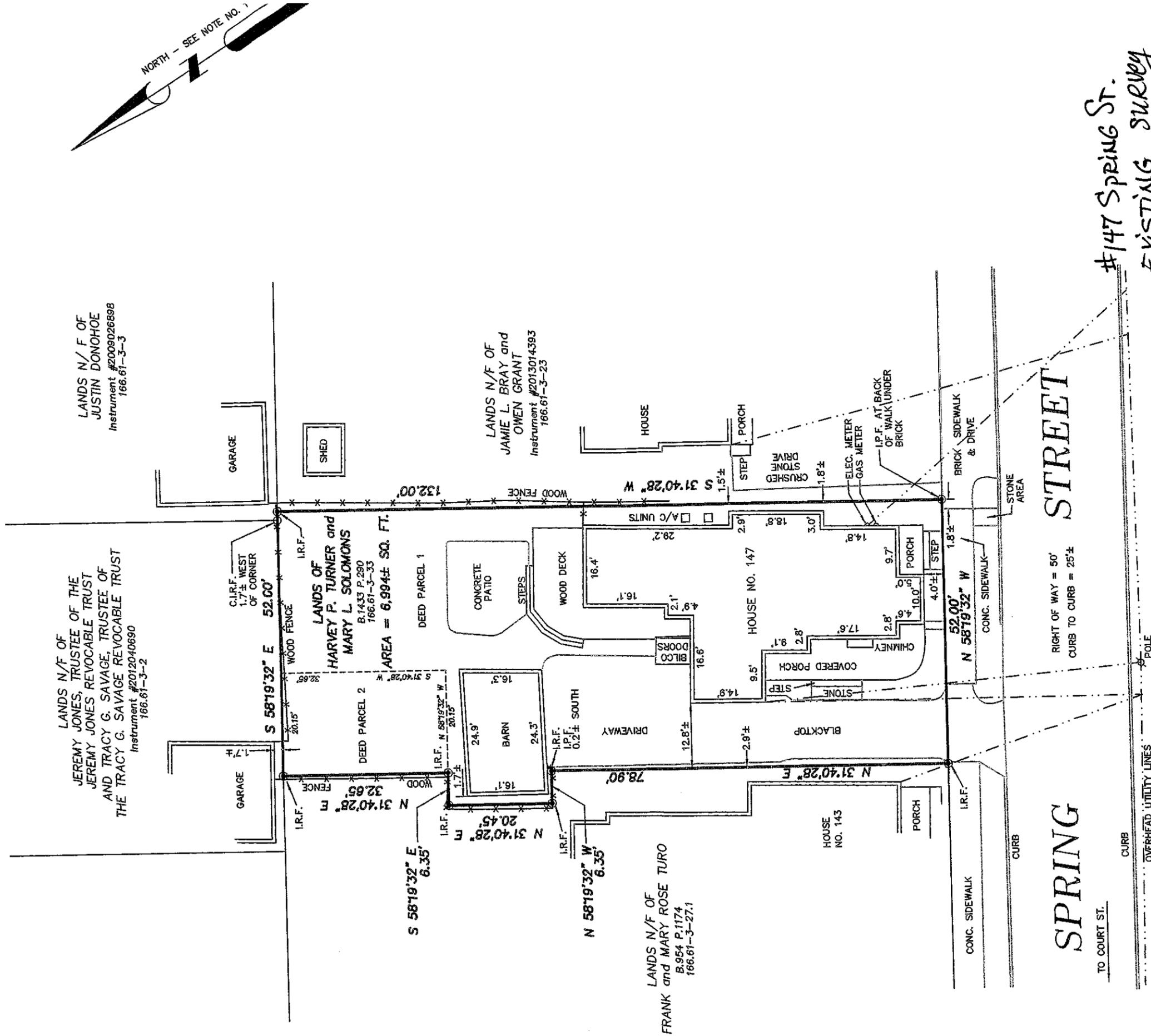


Properties across Spring St. to the South West of project site

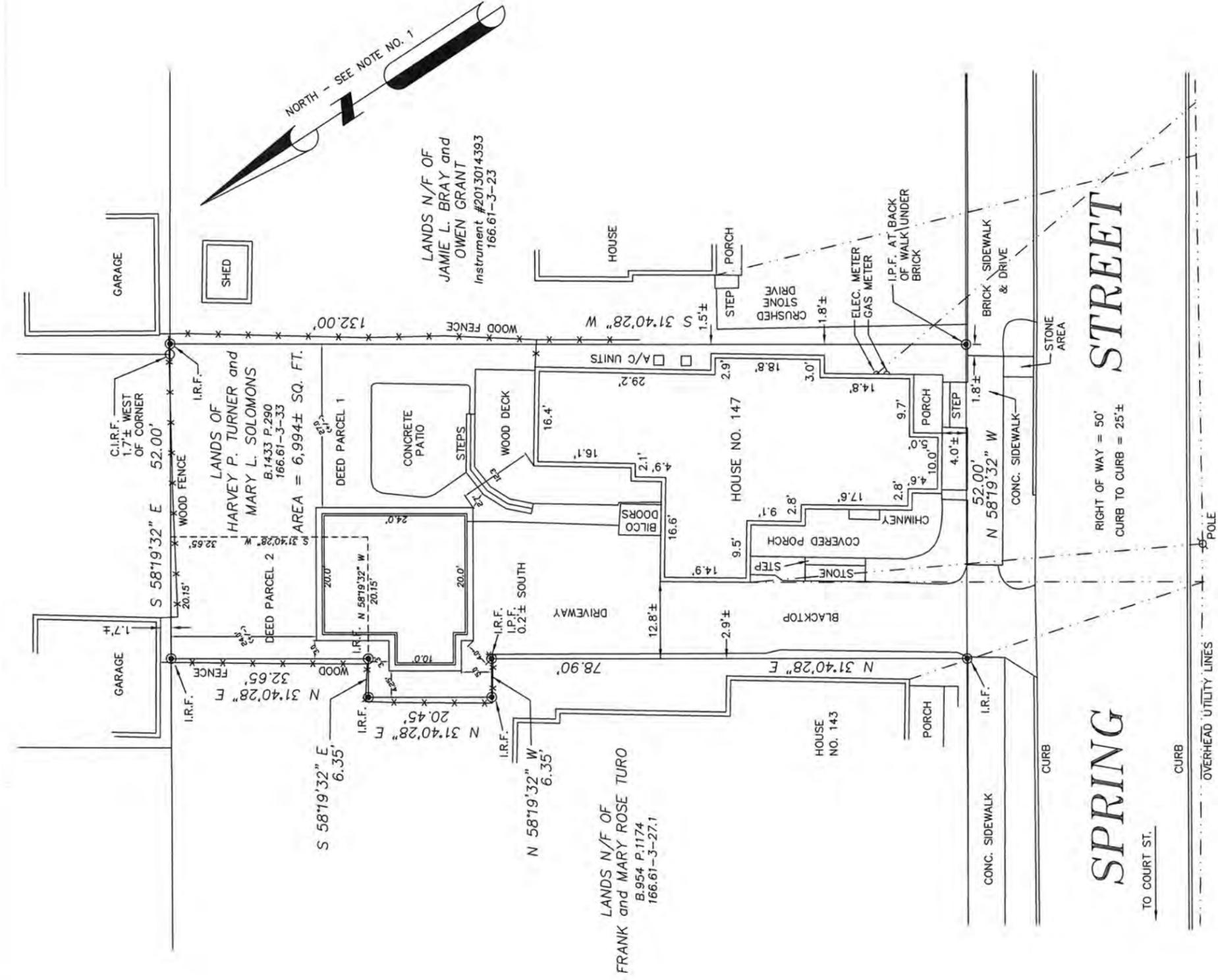


Adjacent property to the East as viewed from Spring St

(EXISTING)



#147 Spring St.  
 EXISTING SURVEY  
 1" = 20'



"UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW."

"ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES."

**LEGEND**

- N/F ..... NOW OR FORMERLY
- OVERHEAD UTILITY LINES
- C.I.R.S ..... CAPPED IRON ROD SET
- I.P.F. .... IRON PIPE FOUND
- C.I.R.F. .... CAPPED IRON ROD FOUND
- I.R.F. .... IRON ROD FOUND
- 116.00-2-39 ..... TAX MAP SECTION-BLOCK-LOT
- B.769 P.986 ..... DEED BOOK & PAGE
- ..... POINT

**NOTES:**

- 1.) NORTH ORIENTATION IS PER BOOK 1433 OF DEEDS AT PAGE 290.
- 2.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATEMENT OF FACT SUCH DOCUMENT MAY DISCLOSE.
- 3.) THE SURVEYED PARCEL IS SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

THIS PLOT PLAN WAS PREPARED BY ENGINEERING AMERICA CO. FOR PURPOSES OF ZONING VARIANCE APPLICATION & SUBMITTAL USING AN ORIGINAL SURVEY MAP PREPARED BY & USED WITH AUTHORIZATION BY ALBRECHT & WILLSON LAND SURVEYORS. THIS PLOT PLAN IS NOT INTENDED TO BE USED AS A SURVEY. BUILDING CORNERS MUST BE VERIFIED BY LICENSED SURVEYOR PRIOR TO AND FOLLOWING CONSTRUCTION AS REQUIRED BY THE CITY BUILDING DEPT.

**ZBA PLOT PLAN FOR  
CHRIS OBSTARCZYK  
# 147 SPRING ST.**

DATE: 8-15-16

SCALE: 1" = 20'

Albrecht & Willson Land Surveyors, PLLC



63 GRAY AVENUE  
GREENWICH N Y 17834

# ENGINEERING AMERICA CO.

76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866

518 / 587-1340 518 / 580-9783 (FAX)

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## TRANSMITTAL SHEET

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|   |  |
|---|--|
| TO:<br>Zoning Board of Appeals                                    | FROM:<br>Tonya Yasenchak                 |
| COMPANY:<br>City of Saratoga Springs                              | DATE:<br>September 26, 2016              |
| FAX NUMBER:   | TOTAL NO. OF PAGES INCLUDING COVER:<br>1 |
| PHONE NUMBER:   | SENDER'S REFERENCE NUMBER:               |
| RE:<br>Obstarczyk Garage<br>#147 Spring St., Saratoga Springs, NY | YOUR REFERENCE NUMBER:                   |

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     AS REQUESTED

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City of Saratoga Zoning Board Members,  
Engineering America Co. herein would like to provide coverage & permeability information regarding the requested Obstarczyk area variances proposed at #147 Spring St. in Saratoga Springs, NY. This correspondence includes the information as follows:

### Area Calculations:

|                           |   |
|---------------------------|---|
| Total Lot Size:           | 6,994 sq.ft. (+/-)                                      |
| Existing House Coverage   | 2,450 sq.ft.  |
| Proposed Detached Garage: | 650 sq.ft. (+/-)  |
| Driveway & Sidewalks:     | <u>1,400 sq.ft. (+/-)</u>                               |
| Total Coverage:           | 4,500 sq.ft. (+/-)                                      |
|                           | <u>(64.3% coverage = 35.7 % permeable &gt; 30% min)</u> |

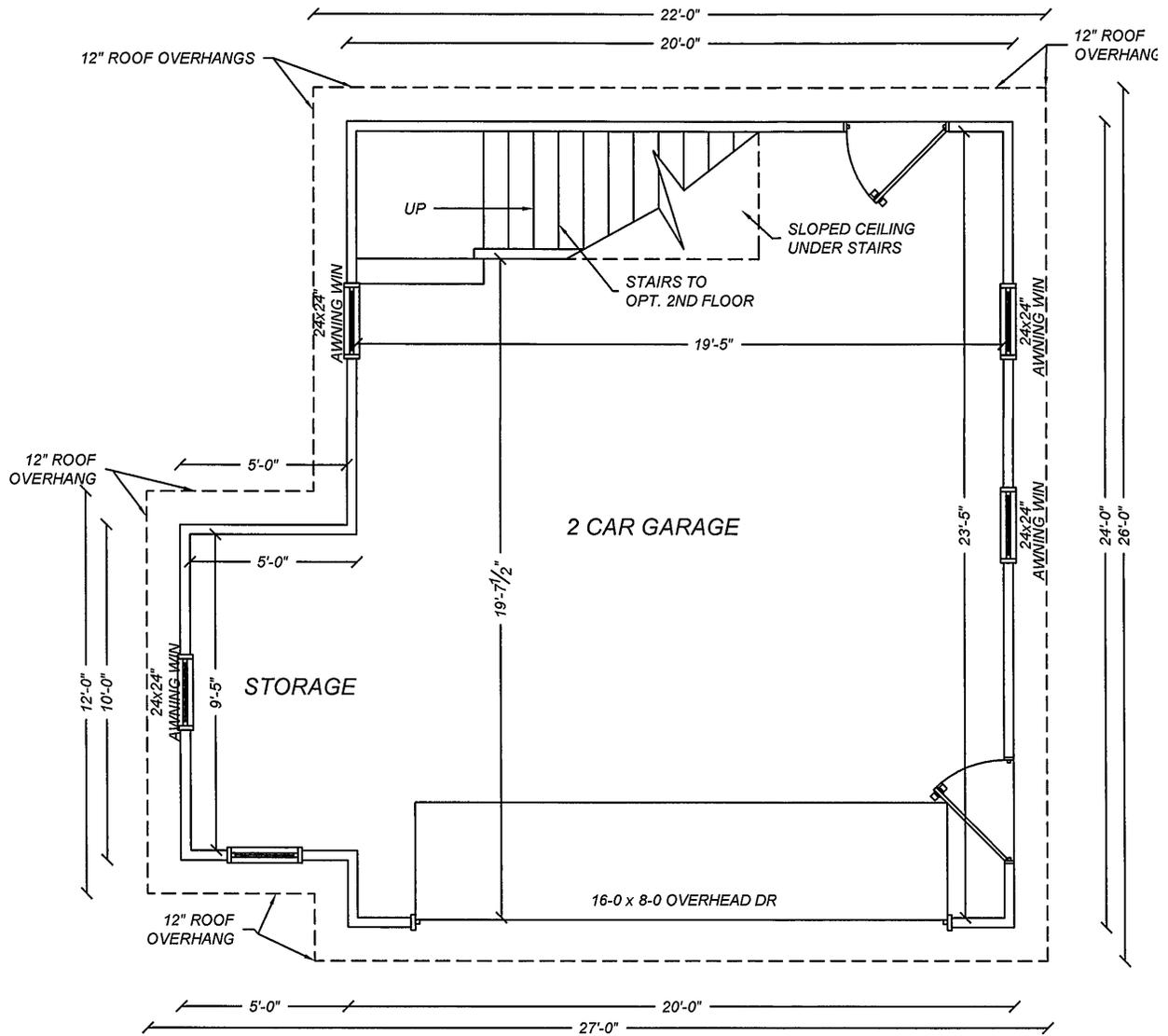
Thank you for your time and cooperation.

Sincerely,

Tonya Yasenchak, PE

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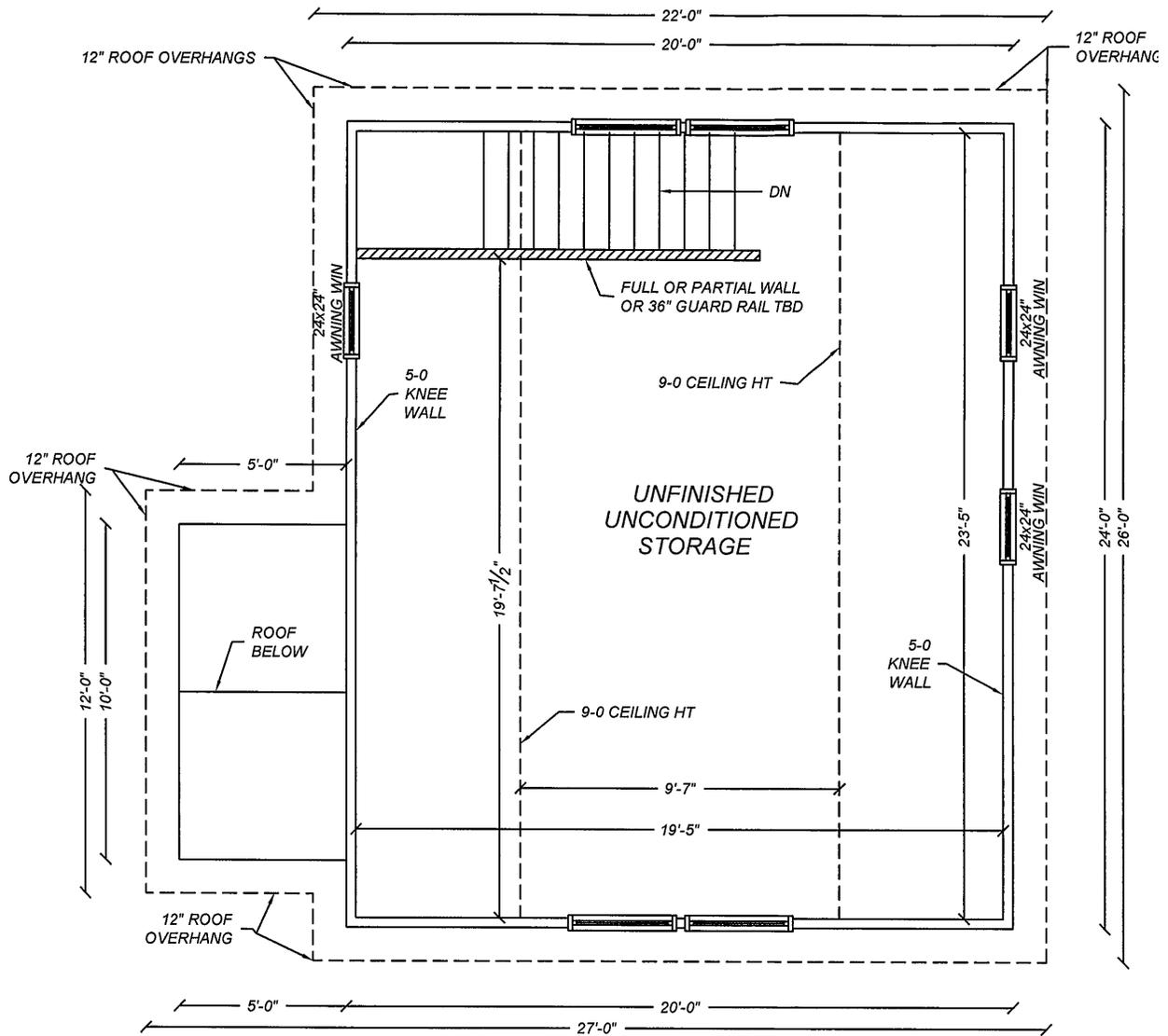
OBSTARCZYK GARAGE  
 #147 SPRING ST.  
 SARATOGA SPRINGS, NY

**PROPOSED  
 MAIN FLOOR PLAN**

9/21/2016

SCALE: 3/16" = 1' 0"

DESIGN BY:  
 ENGINEERING AMERICA CO.  
 76 WASHINGTON ST., SARATOGA SPRINGS, NY  
 518 / 587 - 1340



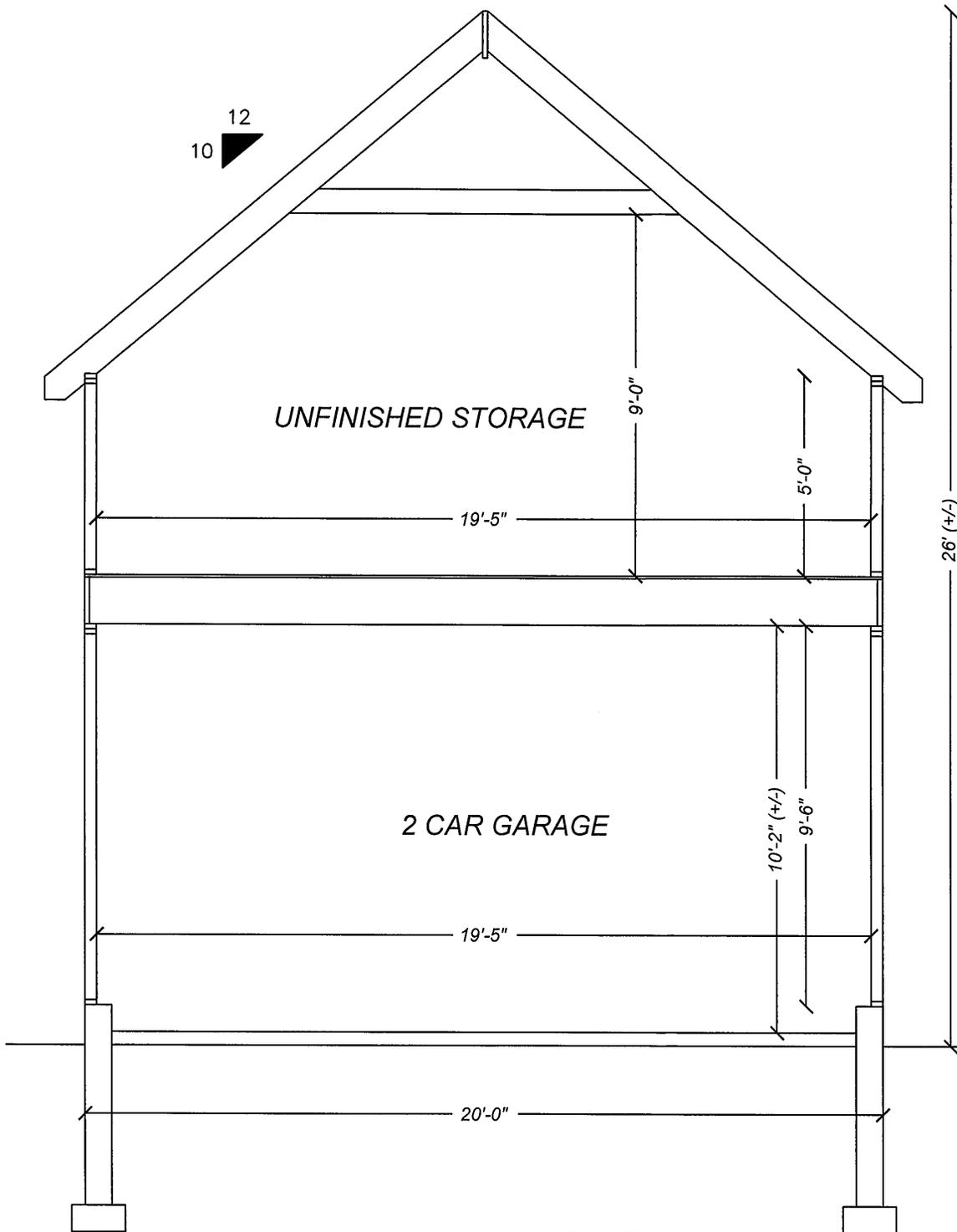
OBSTARCZYK GARAGE  
 #147 SPRING ST.  
 SARATOGA SPRINGS, NY

**PROPOSED  
 UPPER FLOOR PLAN**

9/21/2016

SCALE: 3/16" = 1' 0"

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OBSTARCZYK GARAGE  
 #147 SPRING ST.  
 SARATOGA SPRINGS, NY

**PROPOSED  
 SECTION**

9/21/2016

SCALE: 1/4" = 1' 0"

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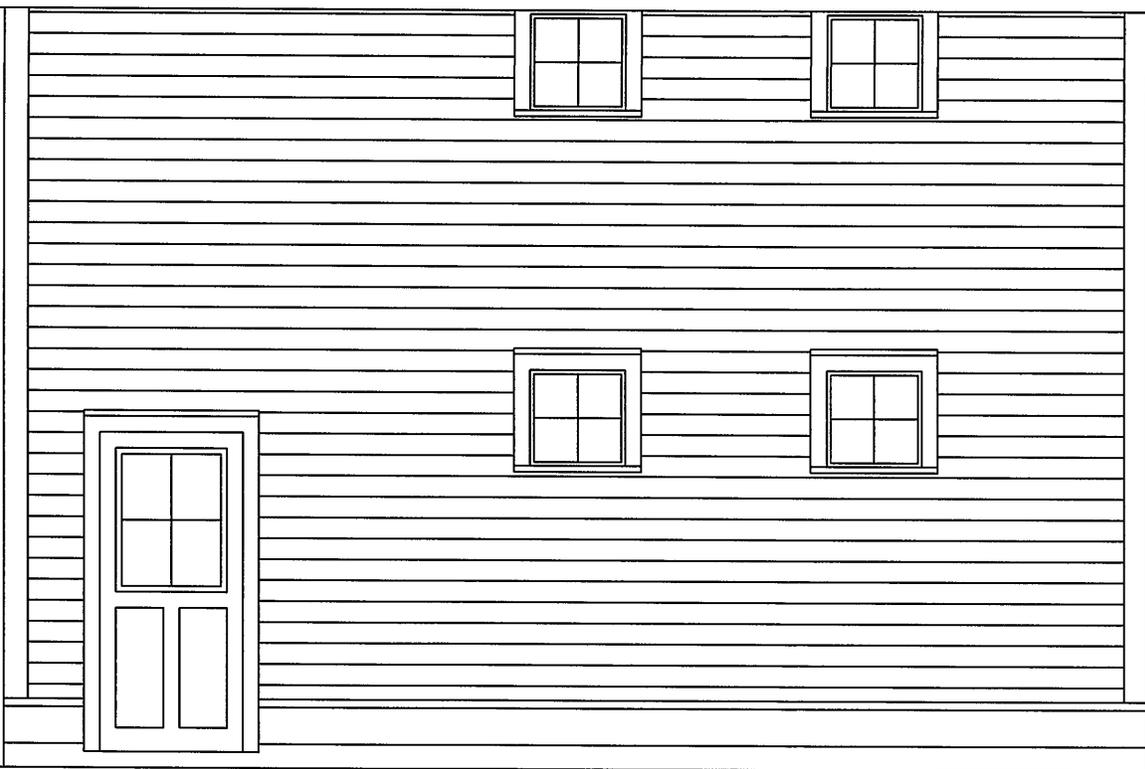
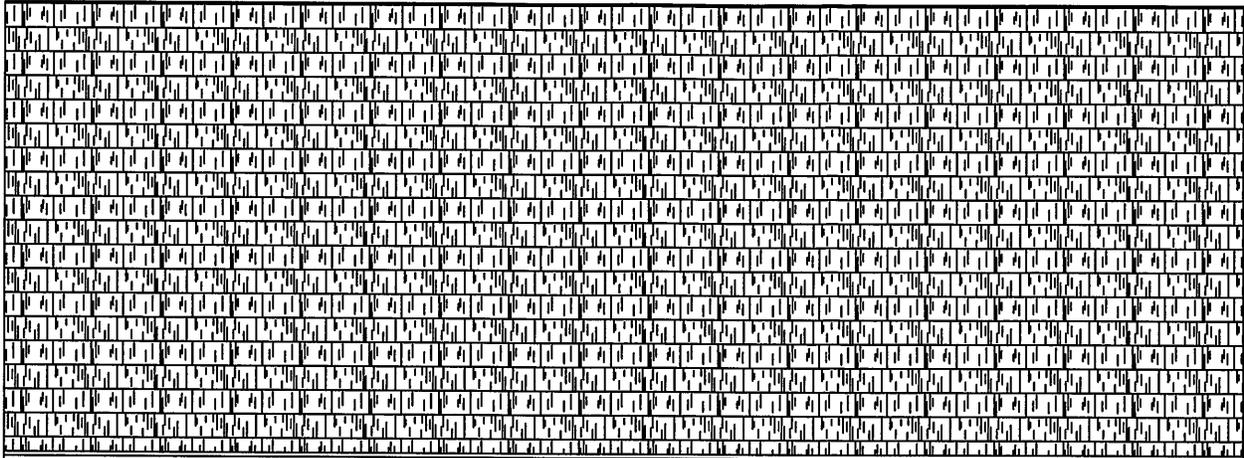
OBSTARCZYK GARAGE  
#147 SPRING ST.  
SARATOGA SPRINGS, NY

**PROPOSED  
FRONT ELEVATION**

9/21/2016

SCALE: 1/4" = 1' 0"

DESIGN BY:  
ENGINEERING AMERICA CO.  
76 WASHINGTON ST., SARATOGA SPRINGS, NY  
518 / 587 - 1340



OBSTARCZYK GARAGE  
#147 SPRING ST.  
SARATOGA SPRINGS, NY

**PROPOSED  
RIGHT ELEVATION**

9/21/2016

SCALE: 1/4" = 1' 0"

DESIGN BY:  
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76 WASHINGTON ST., SARATOGA SPRINGS, NY  
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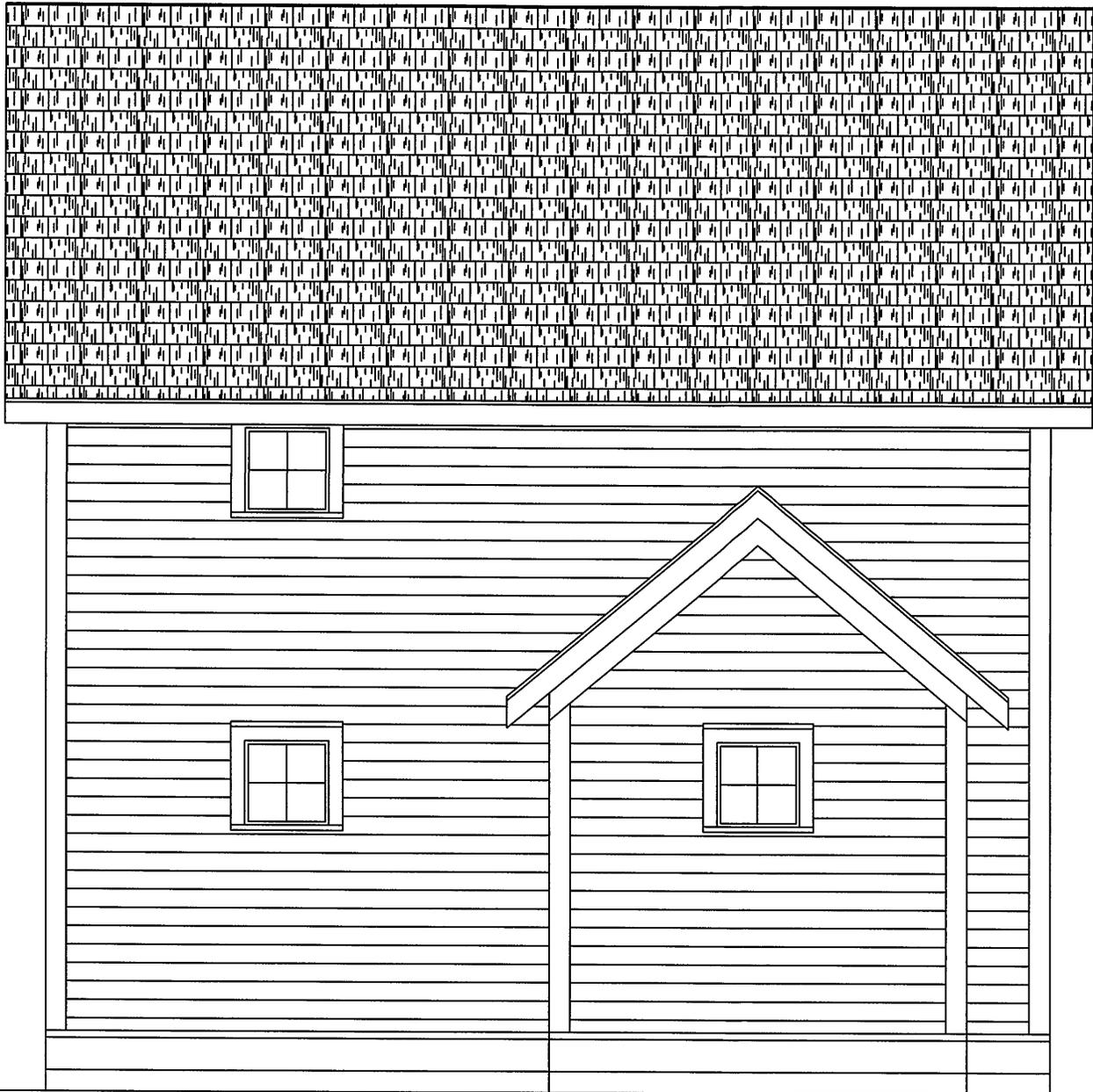
OBSTARCZYK GARAGE  
#147 SPRING ST.  
SARATOGA SPRINGS, NY

**PROPOSED  
REAR ELEVATION**

9/21/2016

SCALE: 1/4" = 1' 0"

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OBSTARCZYK GARAGE  
#147 SPRING ST.  
SARATOGA SPRINGS, NY

**PROPOSED  
LEFT ELEVATION**

9/21/2016

SCALE: 1/4" = 1' 0"

DESIGN BY:  
ENGINEERING AMERICA CO.  
76 WASHINGTON ST., SARATOGA SPRINGS, NY  
518 / 587 - 1340

September 26, 2016

*A Voice*  
FOR  
PRESERVATION



Mr. Bill Moore, Chair  
Zoning Board of Appeals  
City Hall  
474 Broadway  
Saratoga Springs, NY 12866

**RE: 147 Spring Street – Side Yard Setback and Distance to Principal Building  
Variances**

Dear Mr. Moore,

The Saratoga Springs Preservation Foundation has reviewed the application for variances to construct a new two-car garage at 147 Spring Street.

The Queen Anne style house located at 147 Spring Street was constructed circa 1867. Research indicates that the house originally shared the lot with 143 Spring Street and had several accessory buildings, including a large stable. The building that the applicant is proposing to demolish was constructed between 1876 and 1888 when it firsts appear on the 1888 Burleigh Bird's Eye View Map. Please see enclosed documentation. The other two accessory structures no longer exist, but one still remains on the property. The house and accessory building are "contributing buildings" to the East Side Historic District listed on the National Register of Historic Places.

The Foundation objects to the demolition of the historic accessory structure. Carriage houses throughout Saratoga Springs are threatened with demolition-by-neglect and removal. They are important cultural resources of the history and development of our community and should be preserved to the fullest extent possible.

The Foundation respectfully requests that the Zoning Board of Appeals seek an advisory opinion from the Design Review Commission as to whether the historic building may be demolished prior to considering the various variances requested.

Thank you in advance for your thoughtful consideration.

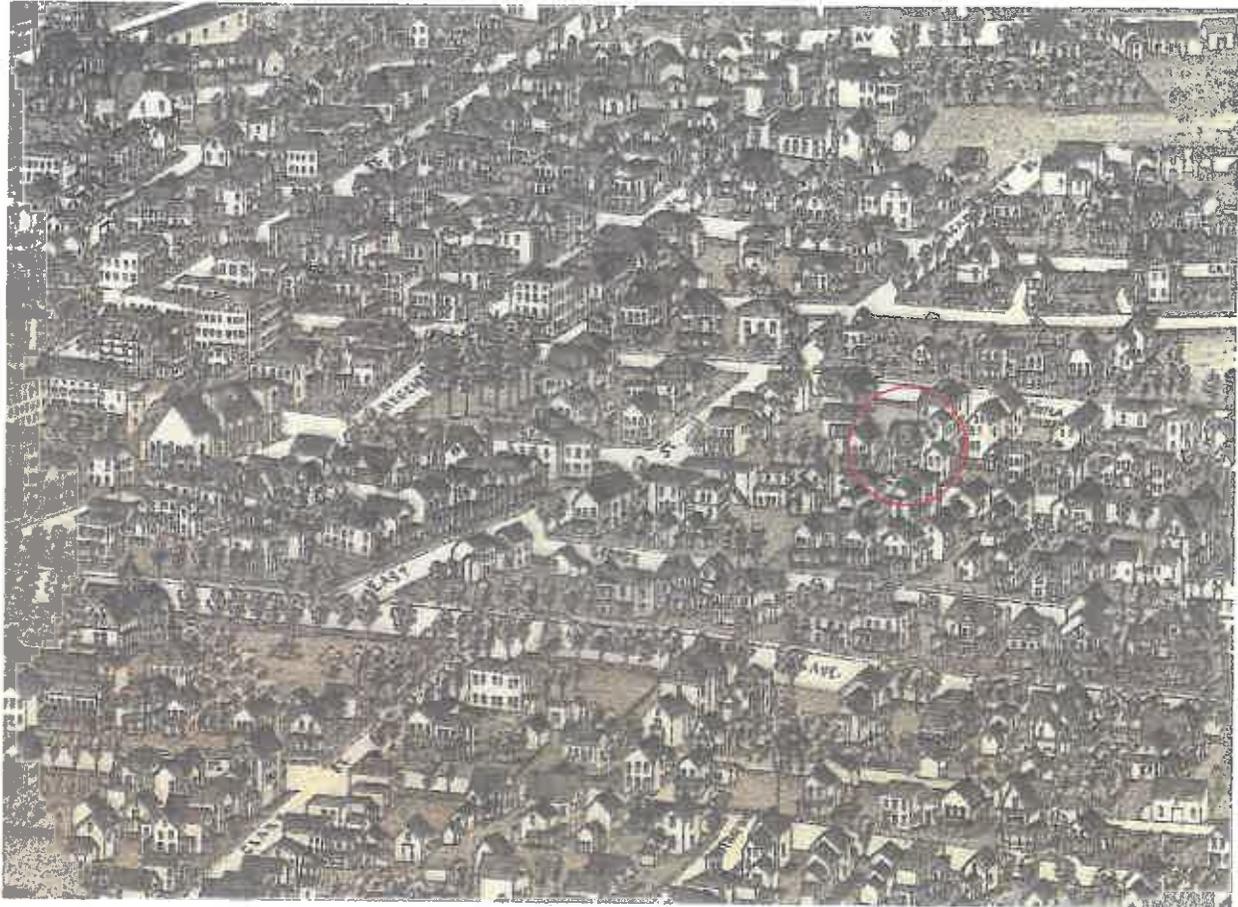
Sincerely,

  
Linda Harvey-Opiteck  
Vice-President

  
Samantha Bosshart  
Executive Director

Cc: Chris Obstarczyk, Owner  
Tonya Yasenachak, Agent  
Susan Barden, Senior Planner  
Bradley Birge, Administrator of the Office of Planning and Economic Development





**147 Spring Street**

**1888 Burleigh Birdseye View**

Oct. 1889  
SARATOGA  
N.Y.

118

EAST

117

SPRING

PHILA

SHEET

SEE

1889 P. 18  
SANBORN MAP

MAY 1896  
SARATOGA  
N.Y.

18

26

118

COURT (EAST)

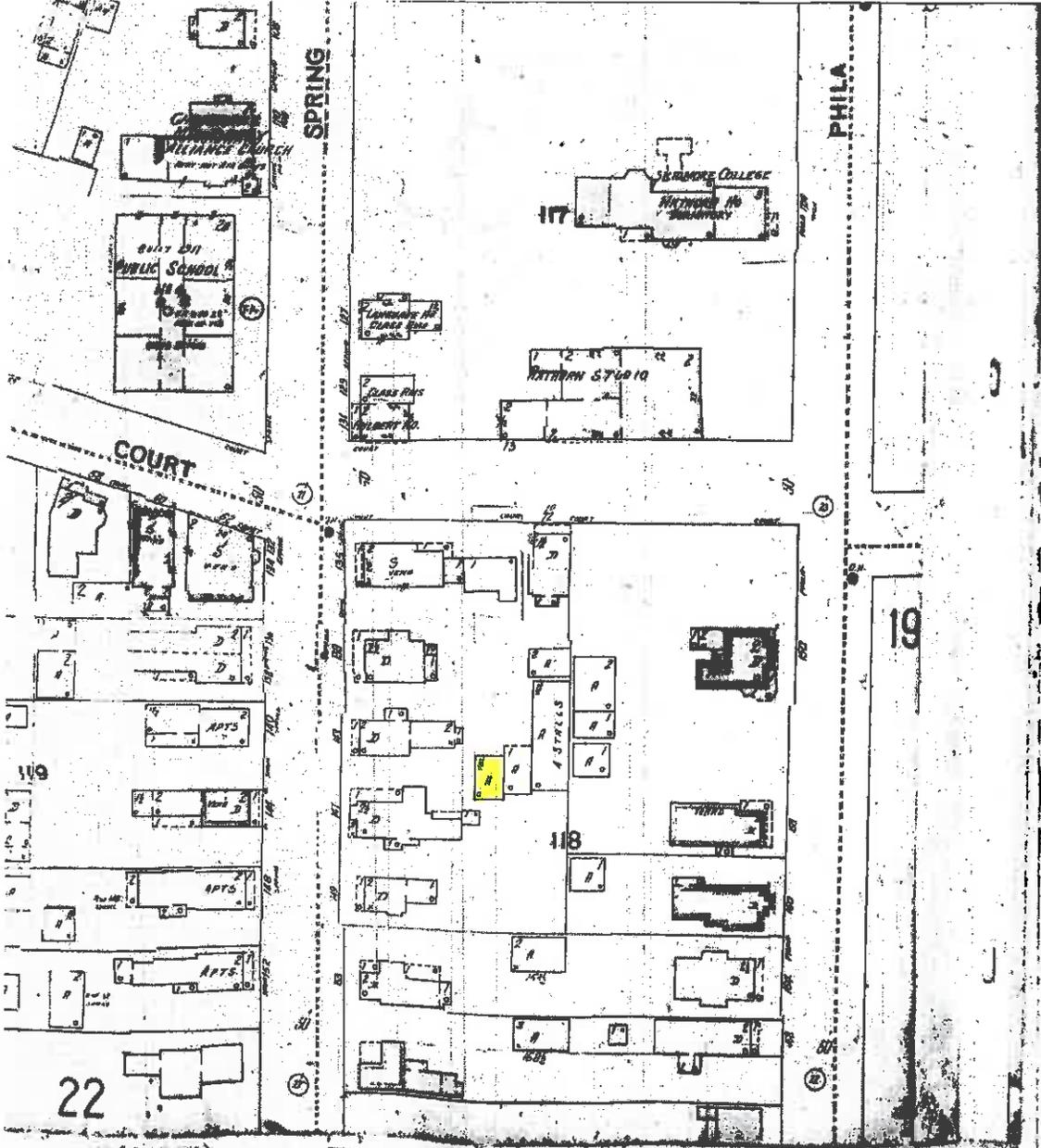
117

SPRING

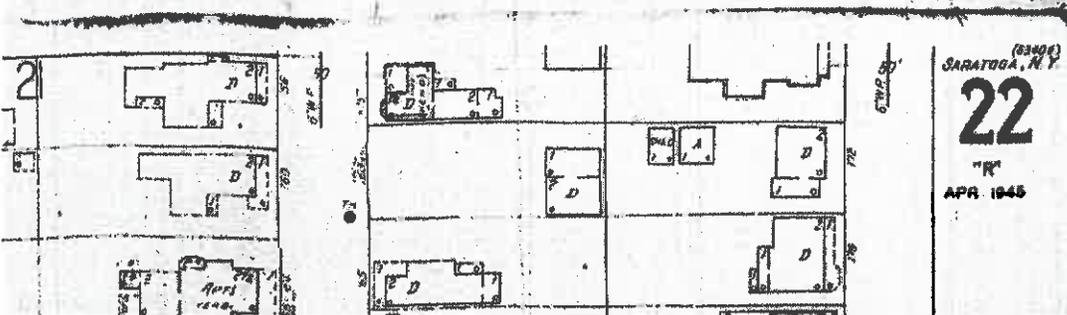
19

20

1895 18  
SANBORN MAP

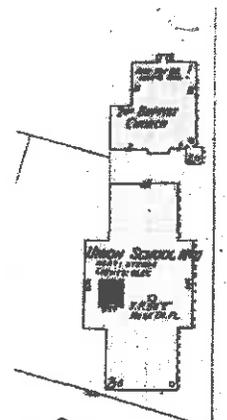


A - AUTO



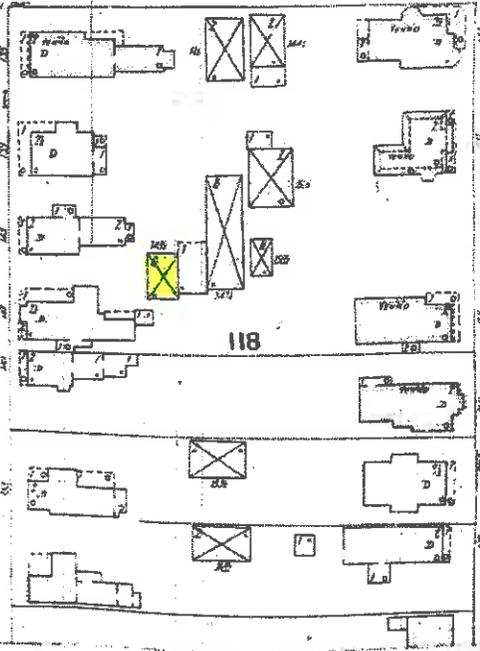
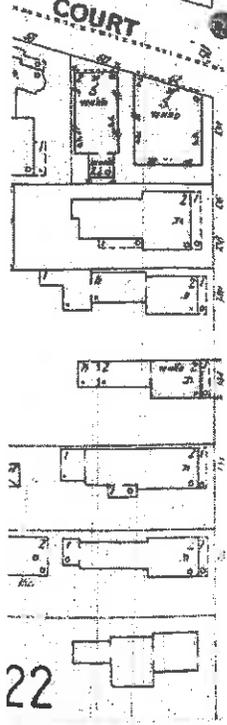
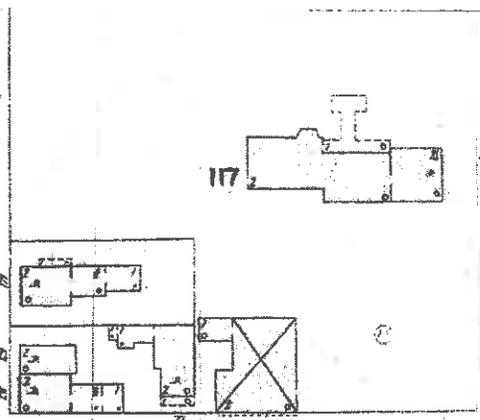
SANBORN MAP  
1900  
21





SPRING

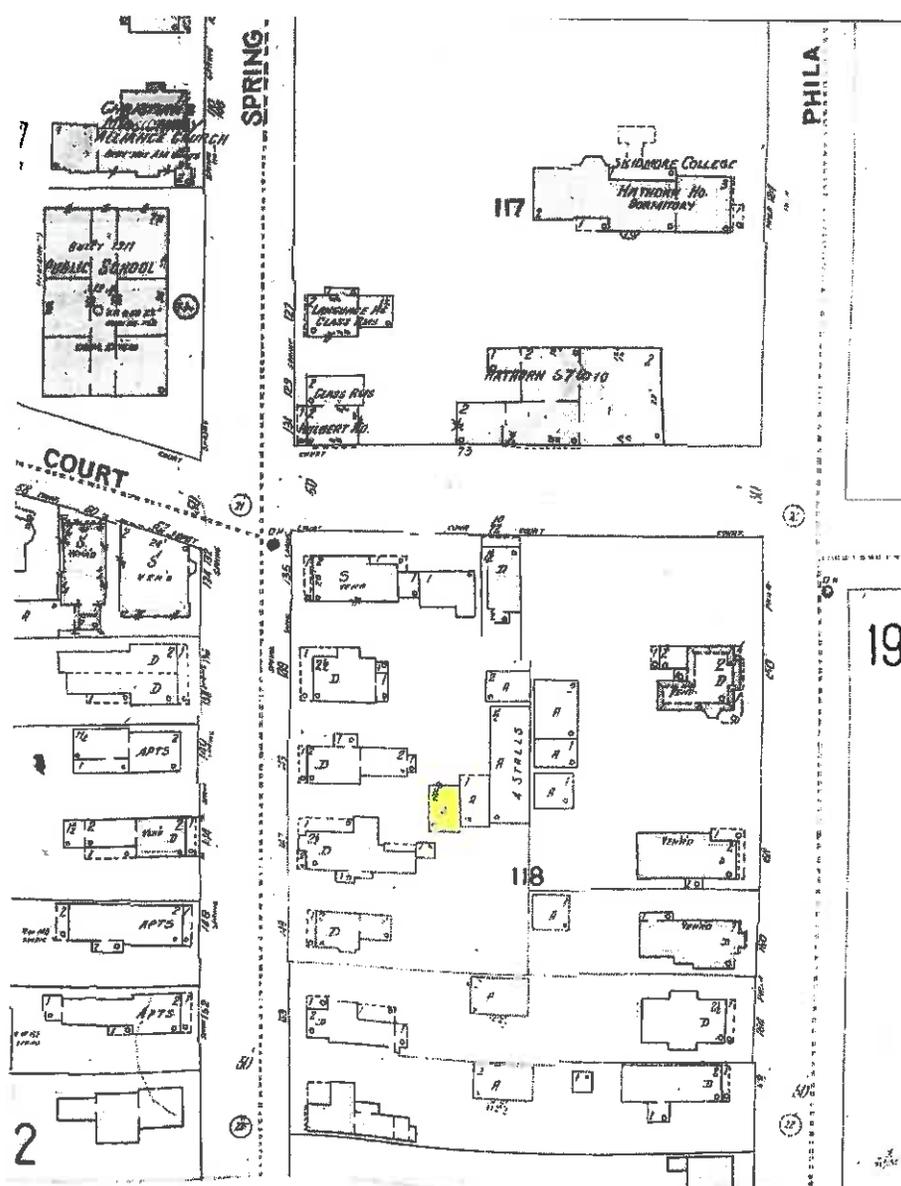
PHILA



19

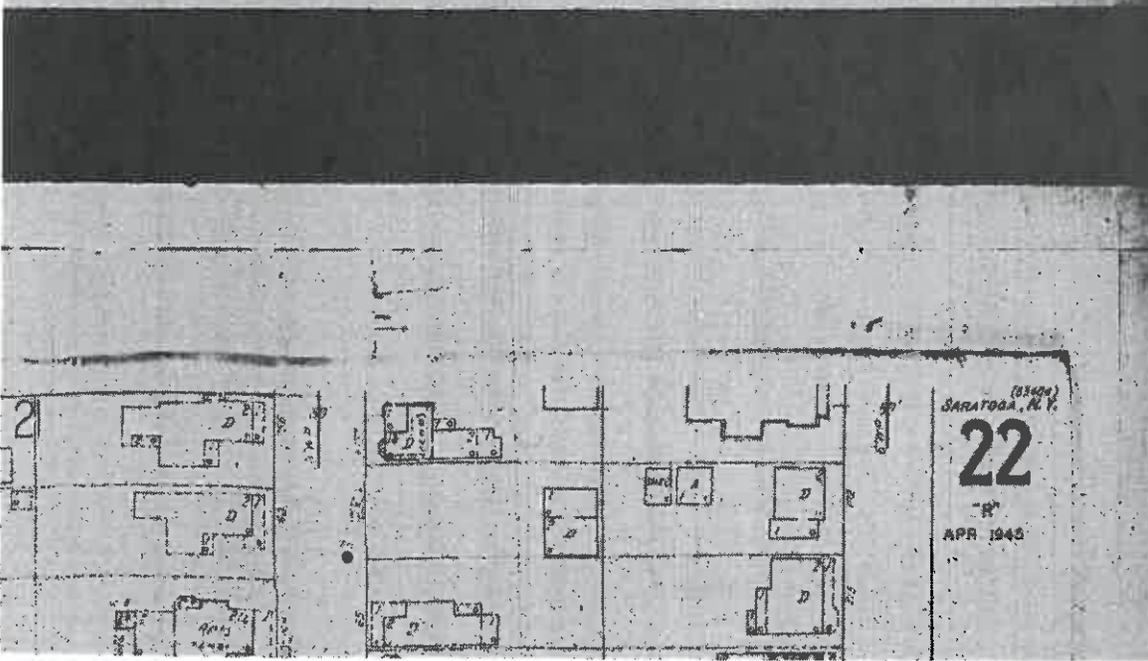
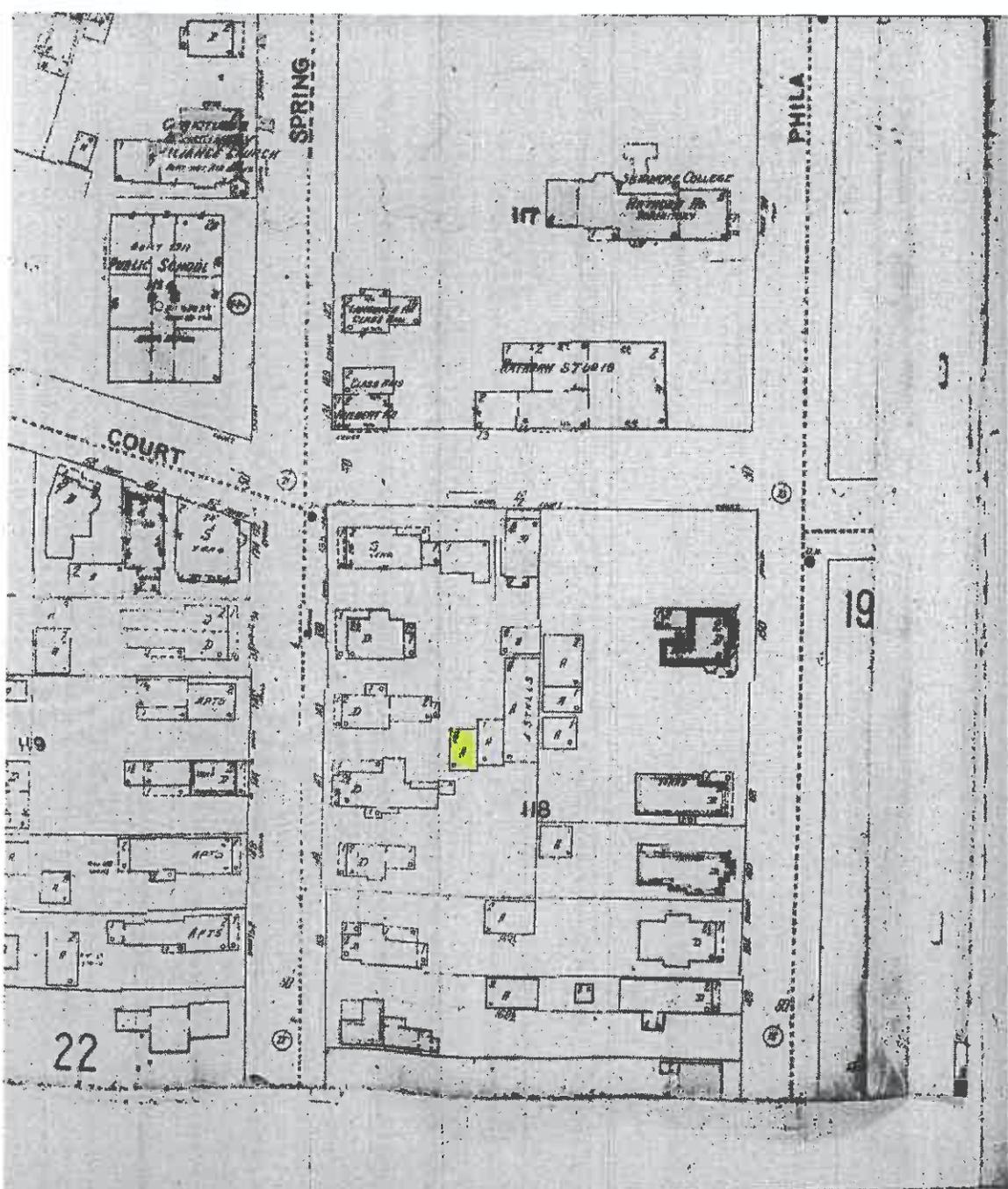
SANBORN MAP  
1909

21



A = AUTO

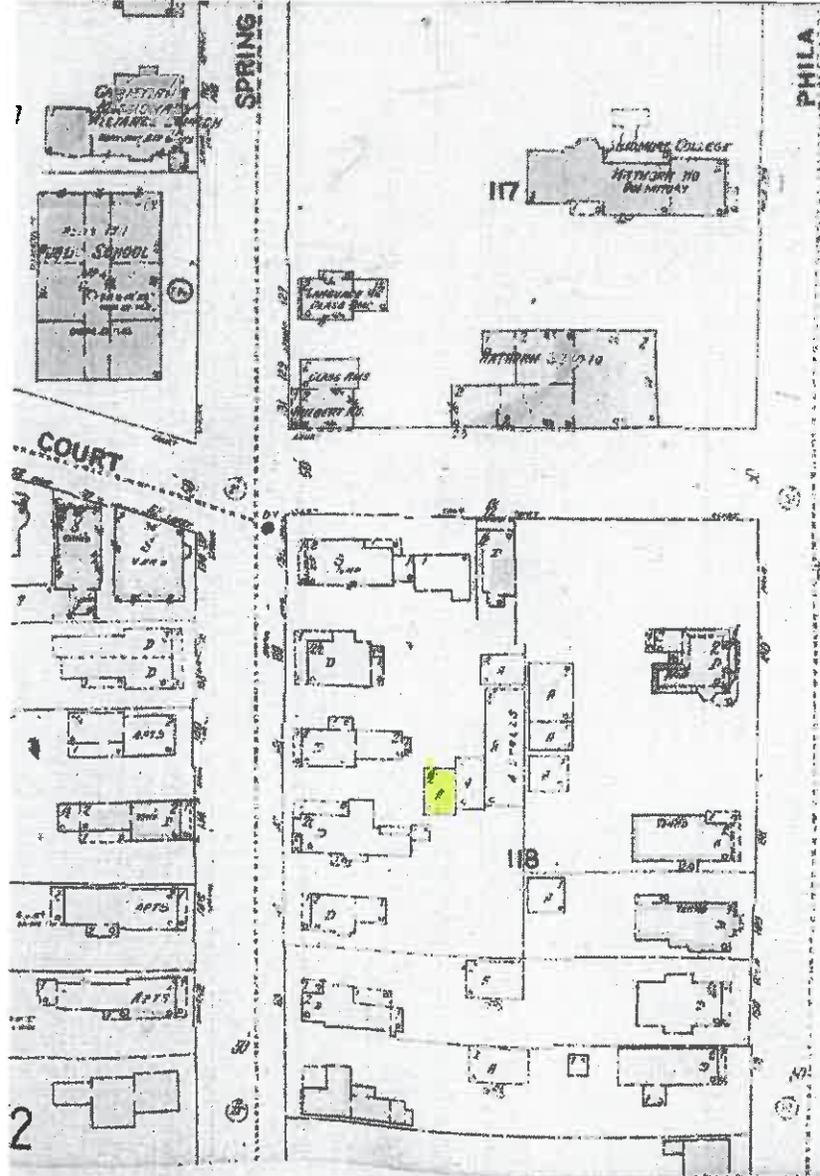
SANBORN MAP  
1933 21



SANBORN MAP

1950

21



SANBORN MAP  
C. 1964  
1952



FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief?  Yes  No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

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4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

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5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

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DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

|                   |                  |
|-------------------|------------------|
| Borrower:         | File No.: 109elm |
| Property Address: | Case No.:        |
| City:             | State:           |
| Lender:           | Zip:             |



Garage with 111 Elm St. to the right and vacant lots to the rear.



Front and side of garage with vacant lot to the rear.



Garage and house from rear corner.

|                   |                  |      |
|-------------------|------------------|------|
| Borrower:         | File No.: 109elm |      |
| Property Address: | Case No.:        |      |
| City:             | State:           | Zip: |
| Lender:           |                  |      |



Rear of garage



Side and rear of garage, 111 Elm st is to the right.



House and garage from the street.

|                   |                  |      |
|-------------------|------------------|------|
| Borrower:         | File No.: 109elm |      |
| Property Address: | Case No.:        |      |
| City:             | State:           | Zip: |
| Lender:           |                  |      |



Behind garage showing 107 Elm St.



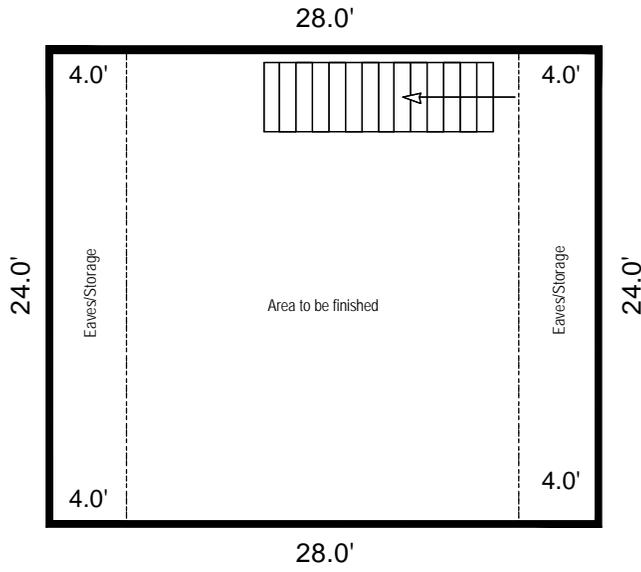
Between house and garage showing 107 Elm St. and rear of house on Joseph St.



From street between 107 and 109 Elm St.

## FLOORPLAN SKETCH

|                   |                  |
|-------------------|------------------|
| Borrower:         | File No.: 109elm |
| Property Address: | Case No.:        |
| City:             | State:           |
| Lender:           | Zip:             |



SeabhyApex/™

Comments:

| AREA CALCULATIONS SUMMARY |             |        |            |
|---------------------------|-------------|--------|------------|
| Code                      | Description | Size   | Net Totals |
| P/P                       | Porch       | 96.00  |            |
|                           | Porch       | 96.00  | 192.00     |
| GAR                       | Garage      | 672.00 | 672.00     |

| AREA BREAKDOWN |           |
|----------------|-----------|
| Breakdown      | Subtotals |
|                |           |

109 ELM ST.

NG LOT AREA=9,735.3± SQ. FT.  
SED LOT AREA=9,724.4± SQ. FT.

AREA TO BE CONVEYED  
AREA=10.9± SQ. FT.

LOT 16

S58°03'07"E  
2.00'

S46°23'18"E

S46°23'18"E

S46°23'18"E

LOT 15

EDGE OF BLACKTOP

171.98'

0.7±

±7.0

BLACKTOP DRIVE

14.0±

2 STORY DWELLING  
W/ 10' O.H.  
ON ALL SIDES

S45°57'34"E  
43.00'

54.9'

EMTR

16.5'

4.7'

EMTR

151.93'

HH TRANS

OPED SPRINKLER

TPED

DMH

OSMH

ARBOR

12±

6±

6±

6±

6±

6±

6±

6±

6±

6±

6±

6±

6±

6±

6±

TREE ROW

8±

8±

8±

8±

8±

8±

8±

8±

8±

8±

8±

8±

8±

6" HIGH WOOD PANEL FENCE

8±

8±

8±

8±

8±

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8±

8±

AC UNIT

EMTR

0.3' CHIMNEY OVERHANG

EMTR

EMTR

EMTR

EMTR

EMTR

EMTR

28.0

28.0

28.0

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28.0

BUILDING SETBACK

8'

8'

8'

8'

8'

8'

8'

8'

8'

8'

24.0

24.0

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1.1' ROOF OVERHANG ALL AROUND

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

1.1'

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19.7±

5' ACCESSORY STRUCTURE SETBACK

5'

5'

5'

5'

5'

5'

5'

5'

5'

5'

5'

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131.23'

131.23'

131.23'

131.23'

131.23'

131.23'

131.23'

S43°36'42"W

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

60.00'

S58°29'41"E

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

28.00'

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28.00'

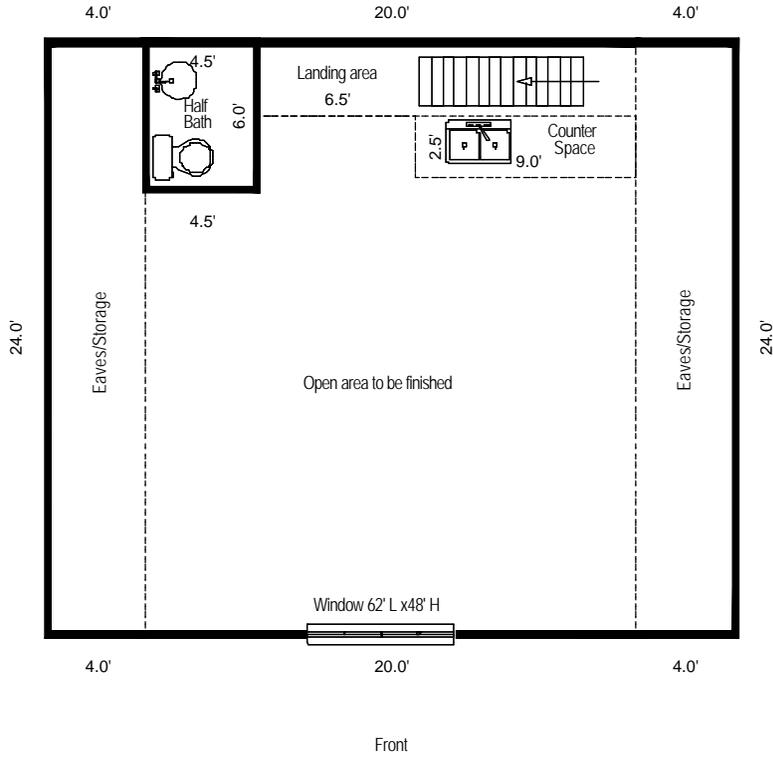
28.00'

</

## FLOORPLAN SKETCH

|                   |                  |
|-------------------|------------------|
| Borrower:         | File No.: 109elm |
| Property Address: | Case No.:        |
| City:             | State:           |
| Lender:           | Zip:             |

109 Elm Street  
Proposed plans for over the garage  
Total exterior dimensions 28 x 24



Seachby Apex IV™

Comments:

| AREA CALCULATIONS SUMMARY |             |         |            |
|---------------------------|-------------|---------|------------|
| Code                      | Description | Size    | Net Totals |
| P/P                       | Porch       | 96.00   |            |
|                           | Porch       | 96.00   |            |
|                           | Porch       | Invalid |            |
|                           | Porch       | 22.50   | 214.50     |
| GAR                       | Garage      | 672.00  | 672.00     |

| AREA BREAKDOWN |           |
|----------------|-----------|
| Breakdown      | Subtotals |
|                |           |

# FROST HURFF ARCHITECTS

## MEMO

Date: 8/25/16  
To: Susan Barden  
From: Tom Frost  
Re: 5 Swanner Lane ZBA Application

The accompanying Area Variance Application is relatively simple. However, previous applications to the ZBA for this property may be a bit confusing.

One of these dated 6/23/00 was for a Use Variance to expand the pre-existing nonconforming use as a warehouse/office building. That variance was granted. In the current application the use has become residential, not requiring approval for such a change in this District.

On the same date as above, an Area Variance was granted to allow for a front yard setback of 2 feet, a sideyard setback to zero feet, a rear yard setback to zero feet and a principal building lot coverage to 31%.

These side yard setbacks were accomplished. However, the existing lot coverage figure now exists as 34.76%, not 31%. After reviewing the site survey, I believe this discrepancy is due to the roof overhangs not having been included in the coverage square foot figure.

The point is, we are requesting a principal building increase from the existing 34.76% to the proposed 40.37%.

The percentage of permeable area remains well above 25%.



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480  
www.saratoga-springs.org

[FOR OFFICE USE]  
  
\_\_\_\_\_  
(Application #)  
  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>                               |
|---------|----------------------|------------------------------------|---|
| Name    | <u>LISA BATES</u>    |                                    | <u>THOMAS FROST<br/>FROST HURFF ARCHITECTS</u>      |
| Address | [REDACTED]           |                                    | <u>41 LONG ALLEY<br/>SARATOGA SPRINGS, NY 12866</u> |
| Tel/Fax | [REDACTED]           | <u>/</u>                           | [REDACTED]  |
| Email   | [REDACTED]           |                                    | [REDACTED]  |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner     Lessee     Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 5 SWANNER LANE Tax Parcel No.: 166.45 - 4 - 30  
(for example: 165.52 - 4 - 37)
2. Date acquired by current owner: 2016 3. Zoning District when purchased: UR-3
4. Present use of property: RESIDENTIAL 5. Current Zoning District: UR-3
6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? 6/23/2000 For what? WAREHOUSE/OFFICE USE  
 No AREA VAR. - LOT COVERAGE, SETBACKS
7. Is property located within (check all that apply)?:  Historic District     Architectural Review District  
 NA     500' of a State Park, city boundary, or county/state highway?
8. Brief description of proposed action: ADD TWO ADDITIONS TO A BUILDING THAT EXISTS AS A  
PRE-EXISTING NON-CONFORMING STRUCTURE IN TERMS OF LOT COVERAGE AND SET-BACKS.

9. Is there a written violation for this parcel that is not the subject of this application?     Yes     No

10. Has the work, use or occupancy to which this appeal relates already begun?     Yes     No

11. Identify the type of appeal you are requesting (check all that apply):

- INTERPRETATION (p. 2)     VARIANCE EXTENSION (p. 2)     USE VARIANCE (pp. 3-6)     AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance" and attach to top of original application. Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary): **NA**

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief?  Yes  No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary): **NA**

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_ 4. Length of extension requested: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) ARTICLE II, TABLE 2

Dimensional Requirements

From

To

% OF PRINCIPAL BUILDING LOT COVERAGE

REQ'D - 30%

EXISTING - 34.76% PROPOSED - 40.37%

REAR YARD SETBACK

REQ'D 25'

EXISTING 0' PROPOSED - 2.7' TO 5.6'

SIDE YARD SETBACK

REQ'D EACH 4', TOT. 12'

EXISTING 0', 33' PROPOSED - 0', 29.5'

Other: \_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

THE PROPOSED ENCLOSED MECHANICAL AREA COULD BE VISUALLY PROTECTED BY A FENCE THAT WOULD NOT INCREASE LOT COVERAGE. HOWEVER, BY INSTALLING A ROOF OVER IT, NOT ONLY IS THE ELECTRICAL/MECHANICAL/GAS EQUIPMENT PROTECTED, THE SPACE CAN BE USED AS EXTERIOR STORAGE FOR YARD EQUIPMENT, ETC. THERE IS NO EXISTING COVERED STORAGE (NO GARAGE E.G.) ON THE PROPERTY. THE COVERED ENTRY IS A NECESSITY NOT ACHIEVABLE BY ANY OTHER MEANS.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

THE PROPOSED ENCLOSED MECHANICAL AREA IS PARTIALLY HIDDEN BEHIND THE BUILDING AND BY A FENCE ALONG THE REAR PROPERTY LINE. EXISTING PORTIONS OF THE BUILDING HAVE LESS REAR SETBACK THAN THIS PROPOSED ADDITION. IT WILL VISUALLY ADD MINIMAL MASS TO THE EXISTING STRUCTURE. THE COVERED ENTRY WILL ADD NO VISUAL MASS TO THE BUILDING, AND WILL IMPROVE THE APPEARANCE OF ITS EAST ELEVATION, AND HELP IDENTIFY IT AS A RESIDENTIAL USE.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

THE TWO STRUCTURES THAT CAUSE THE NEED FOR THE VARIANCE ARE FAIRLY MINIMAL GIVEN THE EXISTING BUILDING MASS, AND THEIR ALMOST INCONSEQUENTIAL CHANGE TO THE SITE.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

THE APPEARANCE OF THE EXISTING PROPERTY WILL HARDLY BE CHANGED, AND THE PREFERRED RESIDENTIAL USE IN THE DISTRICT WILL BE MORE OBVIOUS.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

THE DIFFICULTY AND THE NEED FOR A VARIANCE IS SELF-CREATED. THE BUILDING COULD CONTINUE IN ITS PRESENT USE WITHOUT THE PROPOSED ADDITIONS. BUT THEY MAKE IT MORE LIVEABLE.

**DISCLOSURE**

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

**APPLICANT CERTIFICATION**

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(Applicant signature)

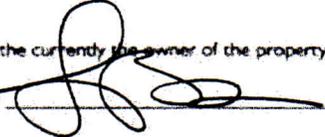
Sworn to before me this date:

Date: August 25, 16

\_\_\_\_\_  
(applicant signature)

\_\_\_\_\_  
Notary Public

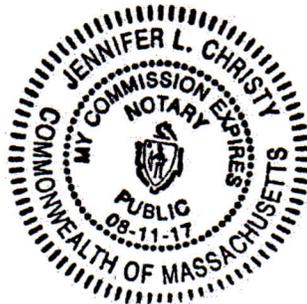
If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: 

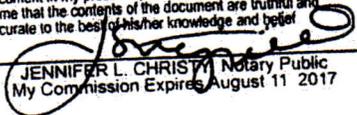
Date: August 25, 16

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_



On this 25<sup>th</sup> day of August, 2016, before me, the undersigned notary public, personally appeared LISA S. BATES and proved to me through satisfactory evidence of identification, which were NY DL Lic# 354 881 473 to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

  
\_\_\_\_\_  
JENNIFER L. CHRISTY, Notary Public  
My Commission Expires August 11 2017





166.45

YORK AVENUE

HARRISON STREET

MIDDLE STREET

LAKE AVENUE

NELSON AVENUE

St. Pauls Evangelical Lutheran Church

REAL PROPERTY TAX MAP

PREPARED FOR: SARATOGA COUNTY BOARD OF SUPERVISORS  
UNDER SUPERVISION OF: REAL PROPERTY TAX SERVICE AGENCY

THIS MAP HAS BEEN PREPARED FROM MAPS AND DEEDS AND OTHER INFORMATION OF PUBLIC RECORD, IN ACCORDANCE WITH THE PROVISIONS OF THE REAL PROPERTY TAX LAW, FOR ASSESSMENT PURPOSES ONLY. (IT DOES NOT REPRESENT A 1:1 MAP OF ANY PROPERTY.)

COORDINATES BASED ON NEW YORK STATE PLANE COORDINATE SYSTEM (DATUM: CONE, 1943)

SPECIAL DISTRICTS

DATE: 05/01/09

PROJECT: 03137.1

PROPERTY LINE

5 SWANNER LANE

East side of building

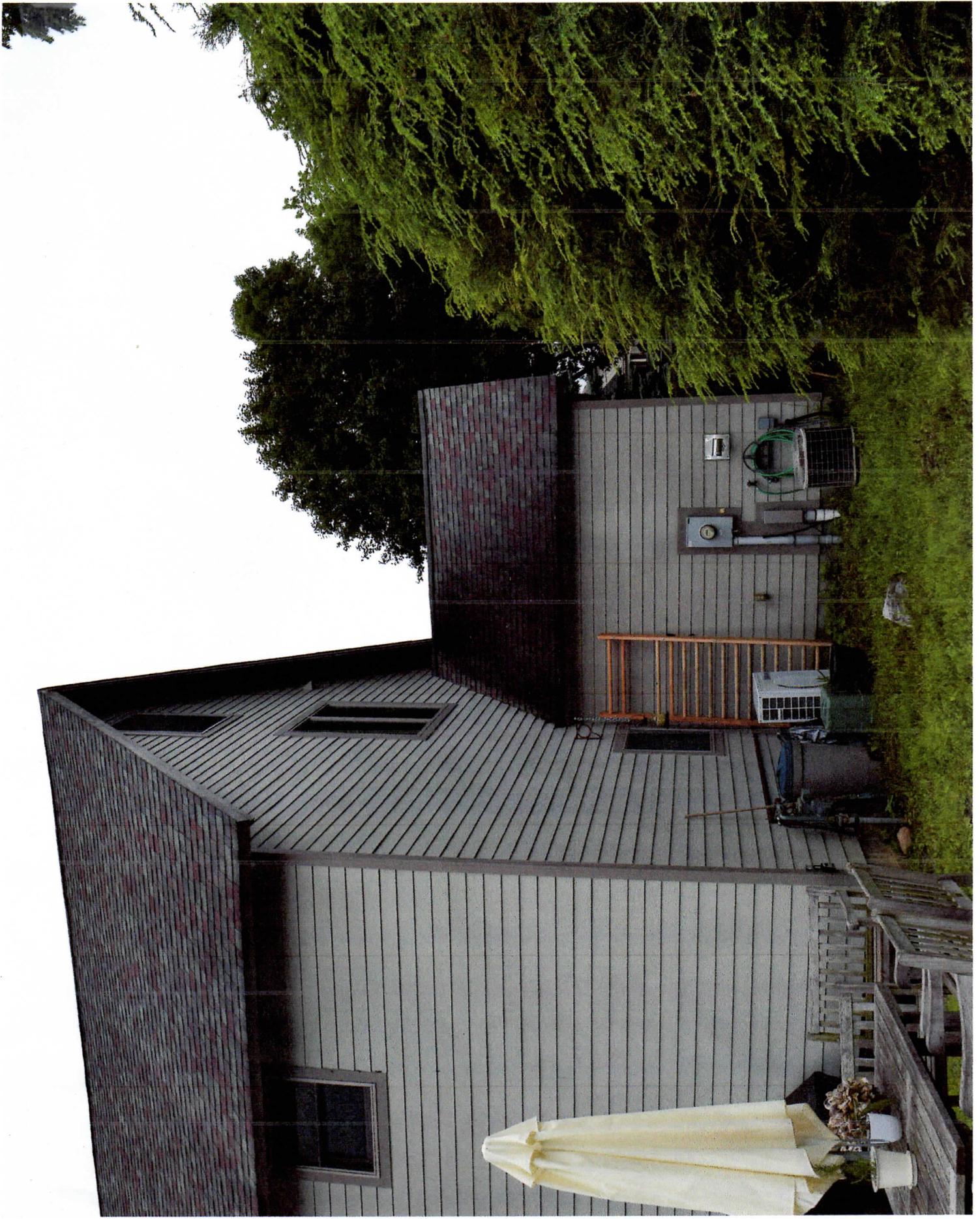


enclosed

enclosed mechanical addition

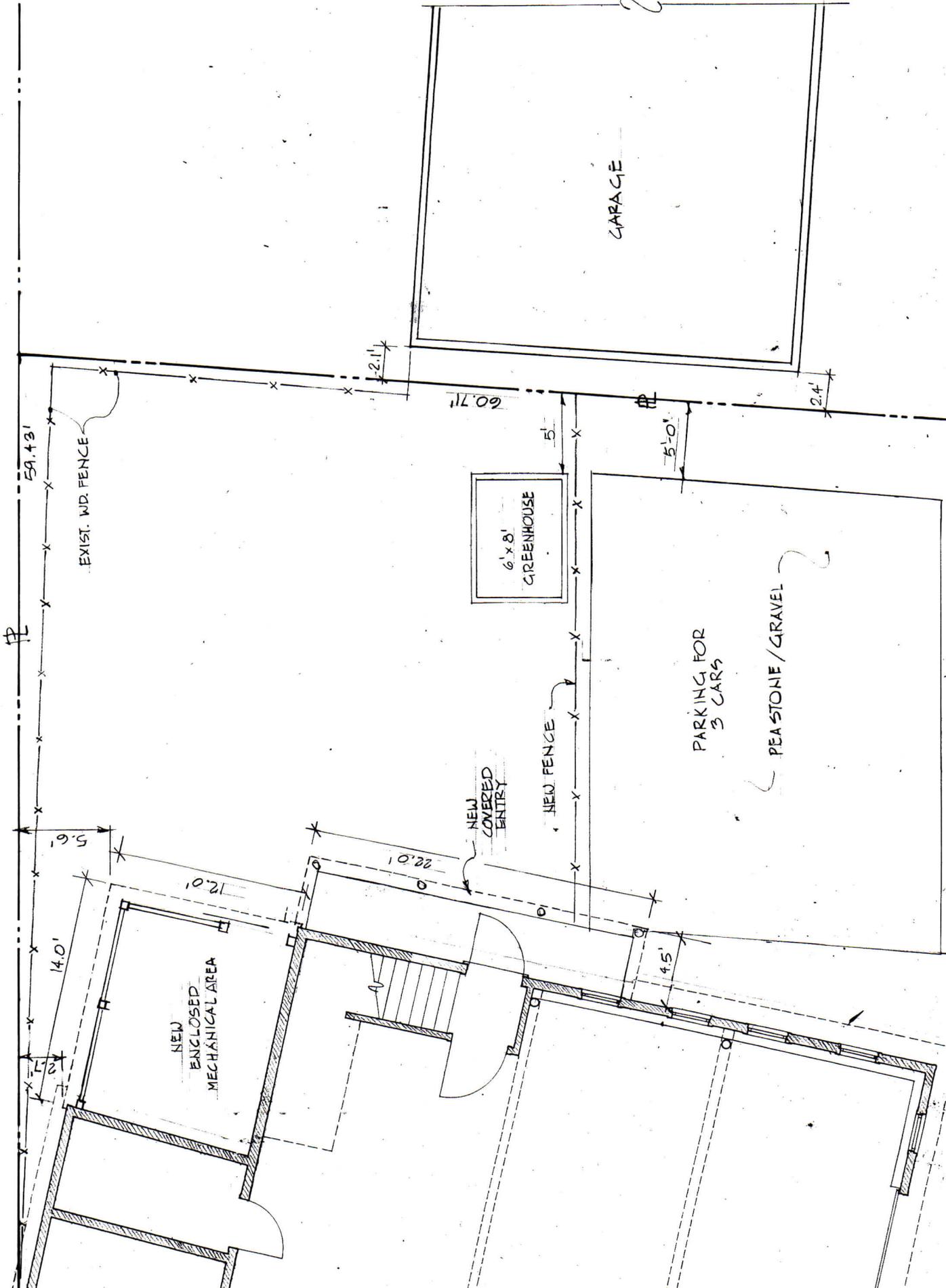
# 5 SWANNER LANE

Location of proposed



5 SWANNER LANE  
SE corner of building







# CITY OF SARATOGA SPRINGS

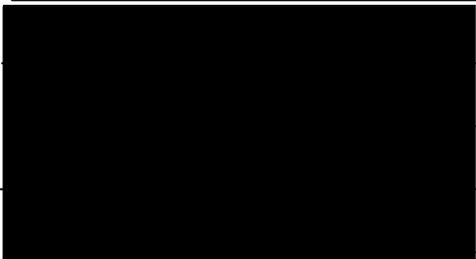
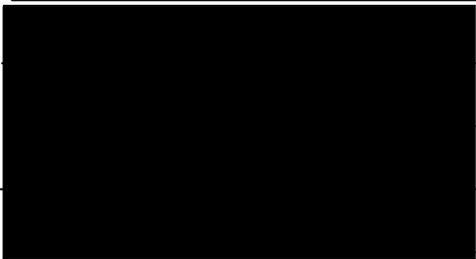
City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u>  | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---------|---|------------------------------------|-----------------------|
| Name    | Jason DiIulio   | _____                              | _____                 |
| Address |  | _____                              | _____                 |
| Phone   |  | _____ / _____                      | _____ / _____         |
| Email   |  | _____                              | _____                 |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 122 North St. Tax Parcel No.: 166 .46 - 1 - 13  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 8/22/2016 3. Zoning District when purchased: UR-3

4. Present use of property: Primary Residence 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_

The current detached garage is not structurally sound and I plan to demolish and reconstruct the garage with livable space above the garage.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):  
2.2 and 6.0

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
Accessory structure unfinished and uninhabitable space - I would like to construct habitable space above the garage.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

I have considered an addition to the primary residence, but this would

1. reduce the green space/lawn.
2. reduce the distance to adjacent neighbors
3. high cost.
4. decrease the amount of area for water to be absorbed into the ground and creating greater impact to the storm water system.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Granting the variance will not produce an undesirable change in the character of the neighborhood because the garage currently exists in the location therefore the aesthetics will not change. In addition the structure is located on the back of the lot and is accessed by Pilkington Lane which is the alley for accessing the garages for James St., North St. and York Ave. Most of the current neighboring garages have livable space above their garages along Pilkington.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The request is not substantial because the garage currently exists. It is not structurally sound and needs to be reconstructed. Therefore, the addition of the habitable space above would be a minor cost impact while substantially increasing the benefits of the property.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The environmental and physical effect will be minimal as the variance will be in the use of space above the garage. There is minimal impact since a garage currently exists and the change is utilizing the space above the garage and matching neighboring garages.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The difficulty was not self-created, but to maximize the efficiency of the size of the lots and homes in the downtown Saratoga area it seems most efficient use of space by utilizing area already present. It would seem to be more beneficial by utilizing vertical space rather than an addition to the house which would have a greater negative impact to the property and adjacent properties.

DISCLOSURE

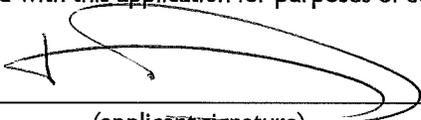
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)

Date: 8/23/2016

Date: \_\_\_\_\_

\_\_\_\_\_  
(applicant signature)

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_, \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

# Short Environmental Assessment Form

## Part 1 - Project Information

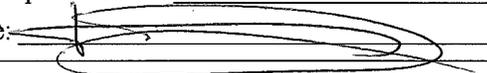
### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

|  |  |   |  |
|--|--|---|--|
| <b>Part 1 - Project and Sponsor Information</b>  |  |   |  |
| Jason DiIulio  |  |   |  |
| Name of Action or Project:<br>Loft above Garage  |  |   |  |
| Project Location (describe, and attach a location map):<br>122 North St., Saratoga Springs, NY 12866   |  |   |  |
| Brief Description of Proposed Action:<br>The property currently has a detached garage that is in poor condition. Current garage does not utilize the space above and is in poor condition. I plan on rebuilding the garage and including a loft above for livable space above garage.  |  |   |  |
| Name of Applicant or Sponsor:<br>Jason DiIulio   |  | Telephone: [REDACTED]                     |  |
|  |  | E-Mail: [REDACTED]                        |  |
| Address:<br>[REDACTED]   |  |   |  |
| City/PO:<br>[REDACTED]   |  | State:<br>[REDACTED]                      | Zip Code:<br>[REDACTED]                    |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |  | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/>            |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>Yes, Saratoga Springs Building Permit will be required for the re-construction of the garage. A variance is required to allow the livable space above the garage.                    |  | NO<br><input type="checkbox"/>            | YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?   |  | 0.22 acres                                |  |
| b. Total acreage to be physically disturbed?   |  | .01 acres                                 |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |  | .22 acres                                 |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |  |   |  |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)  |  |   |  |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <u>Zoned as UR - Urban Residential</u>   |  |   |  |
| <input type="checkbox"/> Parkland  |  |   |  |



|   |   |   |
|---|---|---|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>  | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>  | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>  | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: Jason DiIulio <span style="float: right;">Date: 8/23/2016</span></p> <p>Signature: </p> |   |   |

8/23/2016

Jason Diulio

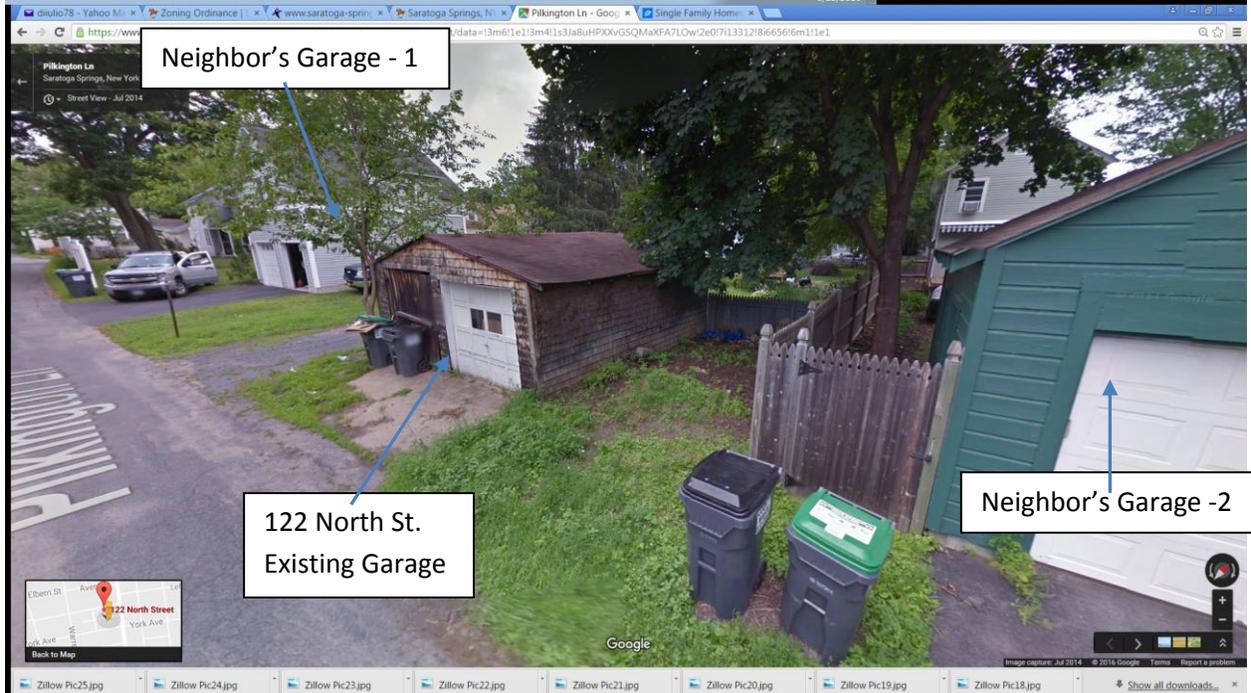
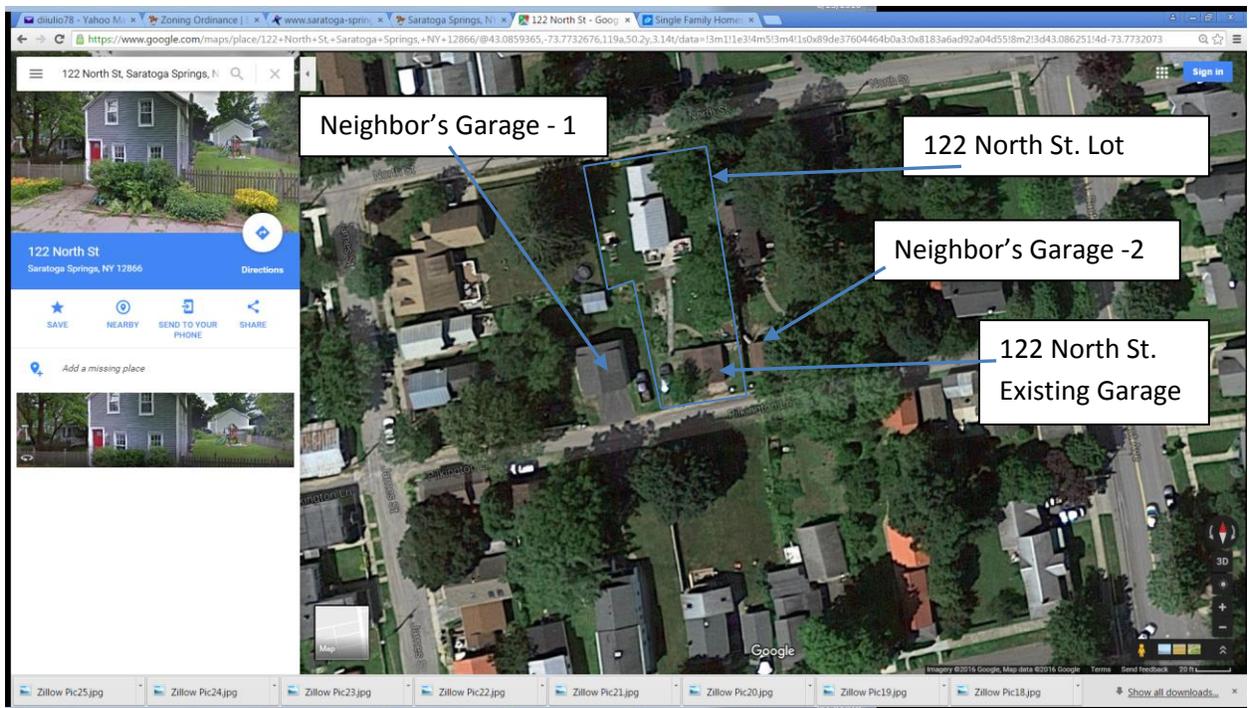


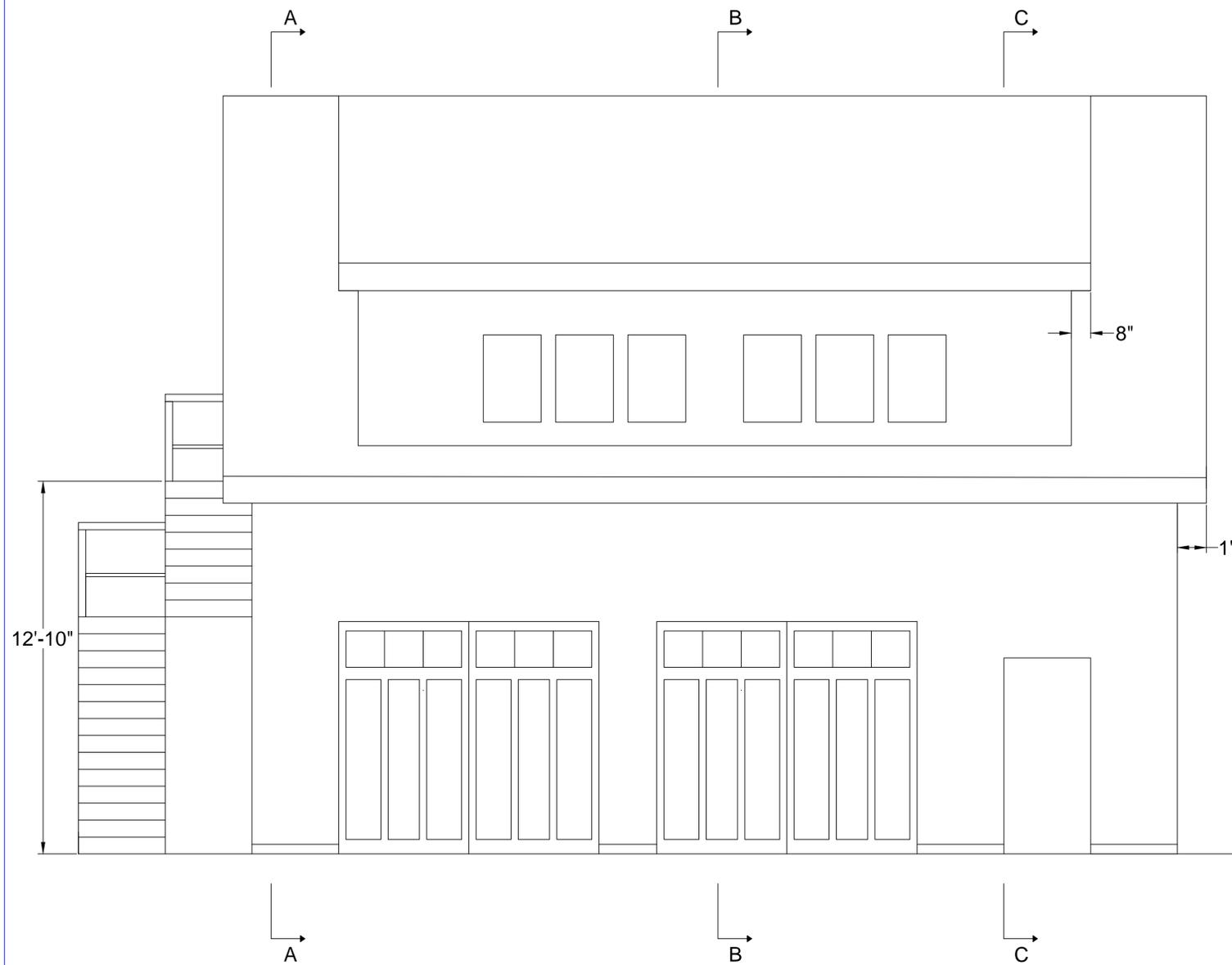
Re: Supporting Documentation for Variance

Home was purchased 8/22/2016. To date no improvements have been made. The garage is in poor structural condition and needs to be rebuilt. The cost to rebuild is approximately \$22,000. I am proposing to add livable space above, this proposal would increase the construction cost approximately \$7,000, for a total of \$29,000. All work would be designed and constructed by me, I am a civil engineer with over 14 years of experience designing and constructing large scale civil projects. I have extensive experience in concrete work and traditional wood framing. I have constructed similar projects in New York State and Virginia.

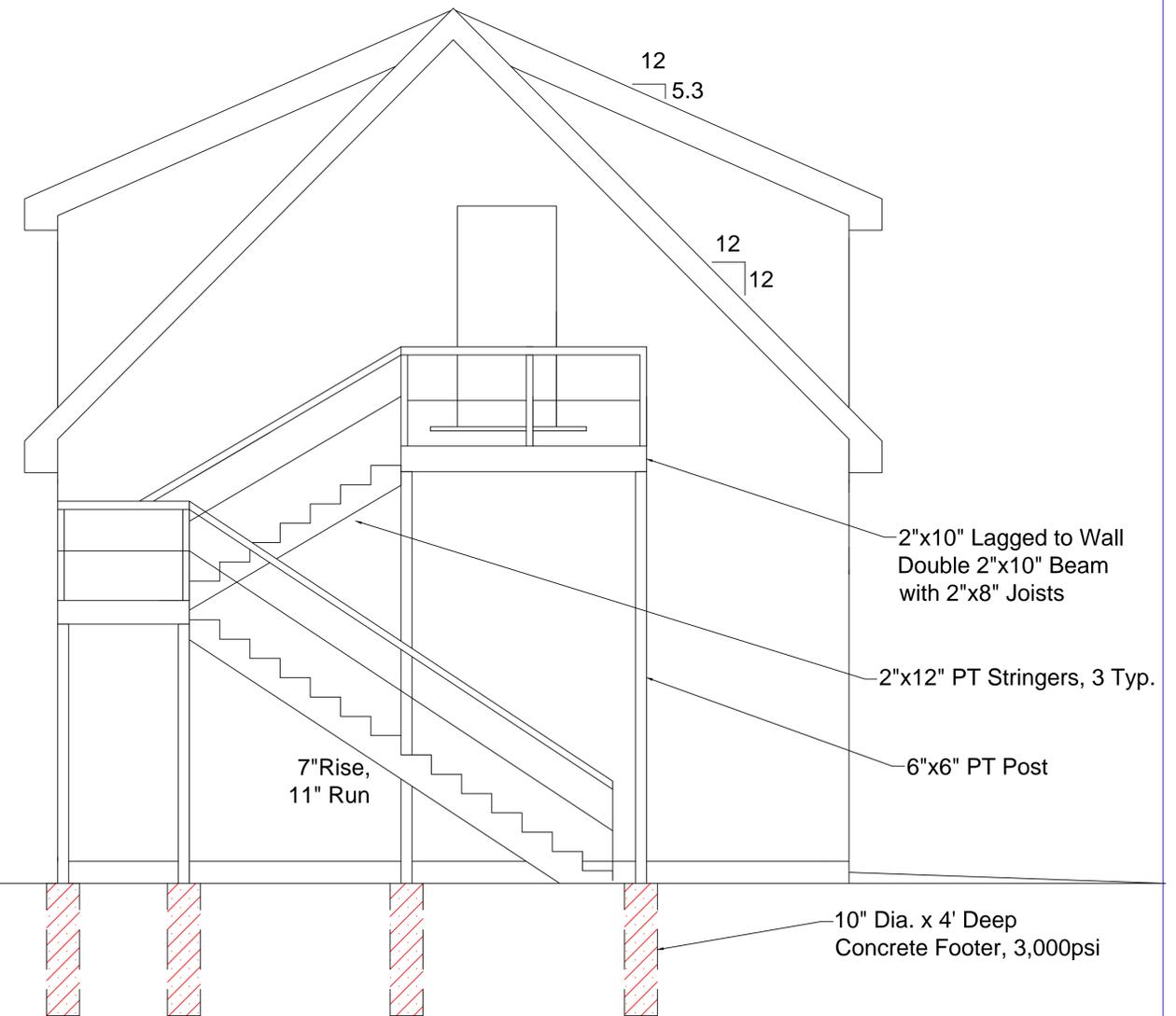
Construction would commence immediately from issuance of variance and building permit. I would have the shell constructed and established before snow fall. Interior work would continue through the winter with completion in 2017.

Jason Diulio





ELEVATION - South Side



ELEVATION - West Side

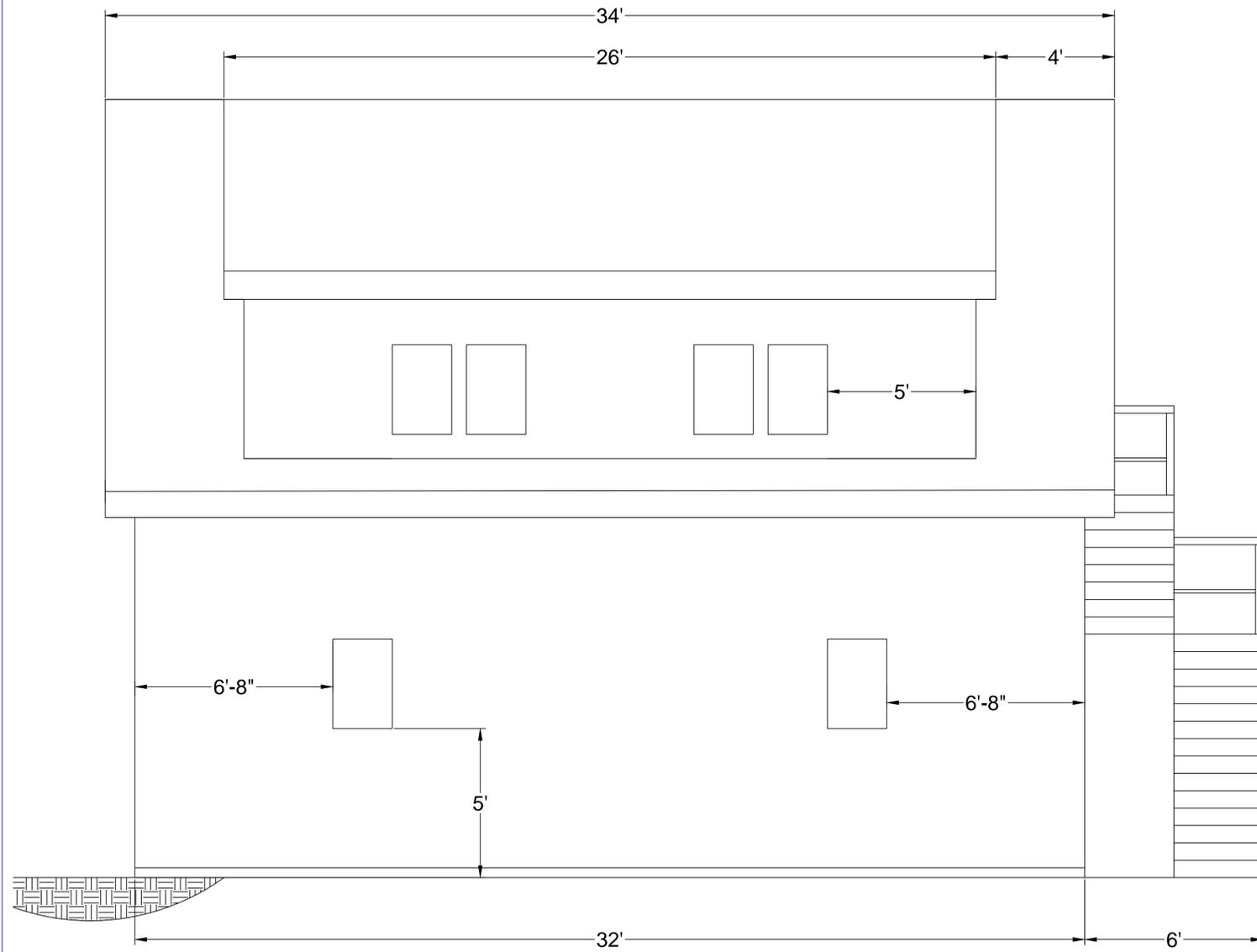
|  |                |             |        |
|--|----------------|-------------|--------|
| 0  | PERMITTING SET | JCD         | 8/1/16 |
|  |                |             |        |
| NO.  | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK                           |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866 |                |             |        |
| <b>CONSTRUCTION DETAILS</b>                                    |                |             |        |
| SCALE  | AS SHOWN       | DRAWN       | JCD    |
|  |                | CHECKED     |        |
|  |                | SUBMITTED   |        |
|  |                | RECOMMENDED |        |

LAST SAVED BY: JASON DIULLIO DATE: 8/18/2016 4:19:17 PM DRAWING ID: C:\USERS\JASON\DIULLIO\DOCUMENTS\PERSONAL\122 NORTH ST\GARAGE\NORTH ST GARAGE REV1.DWG

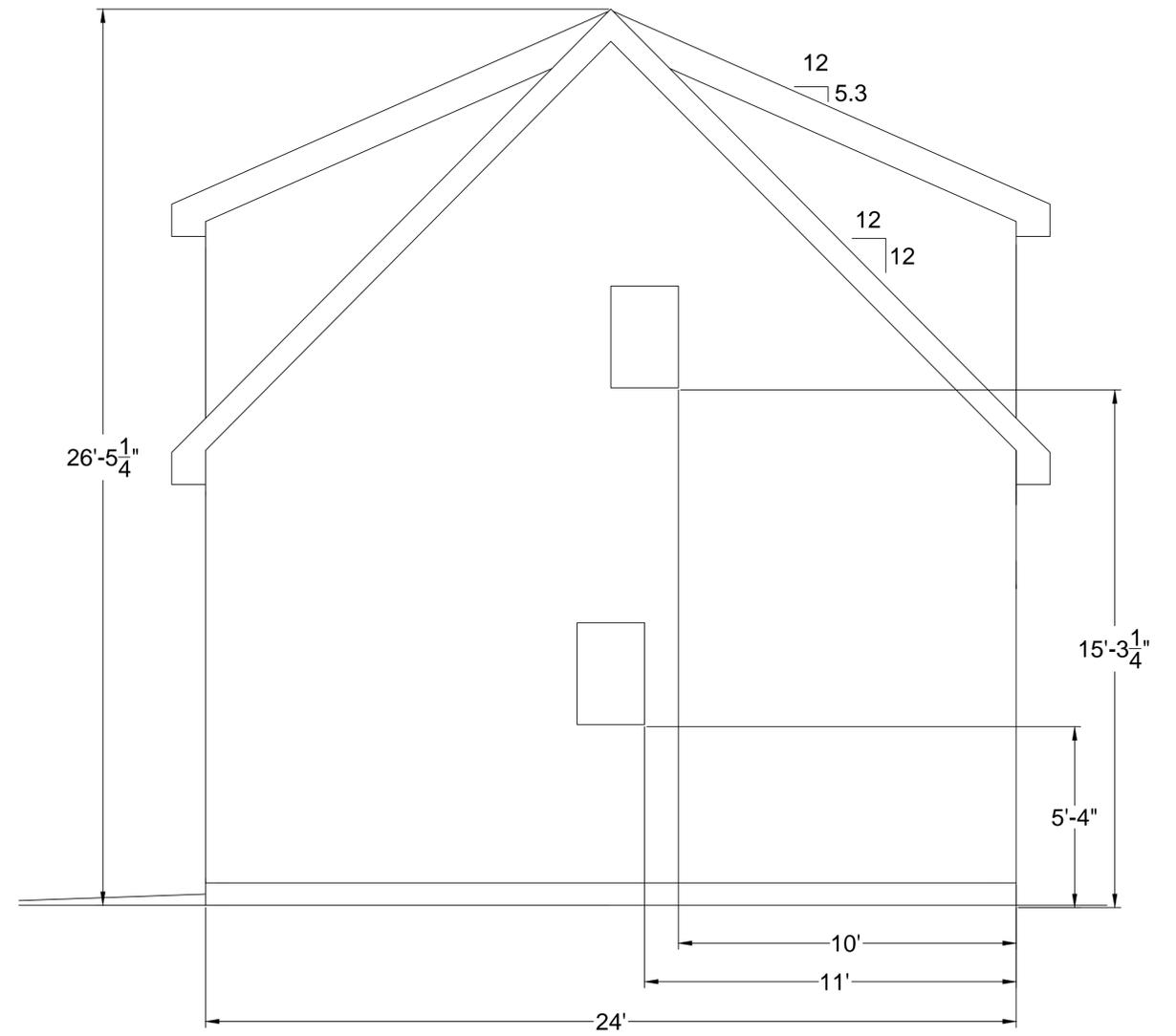
REDUCTION  
VERIFICATION  
SCALE

0

10 INCHES



ELEVATION - North Side

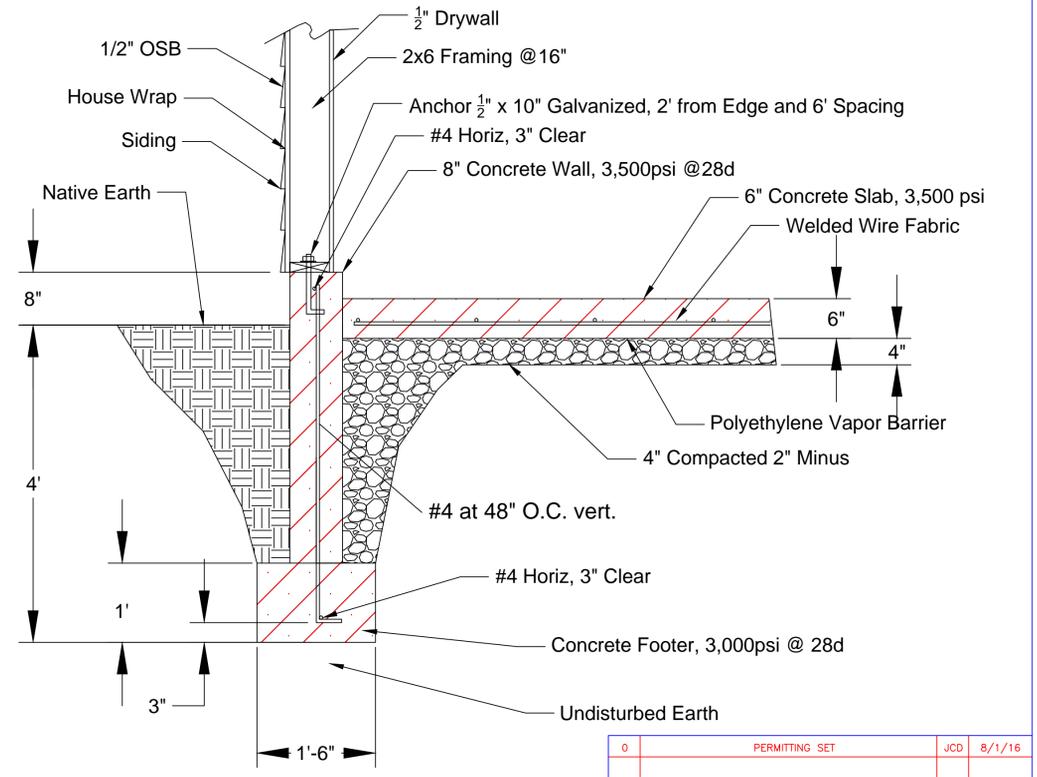
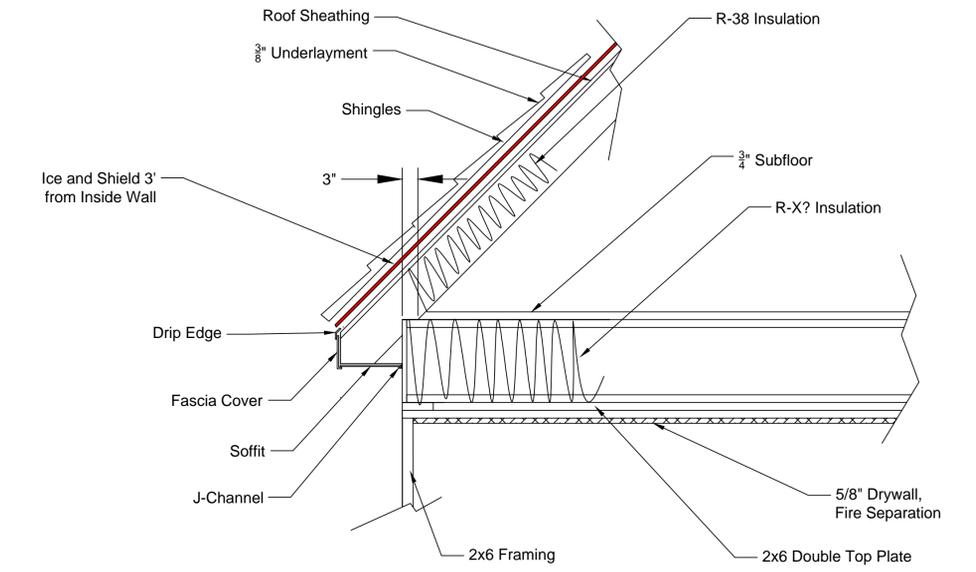
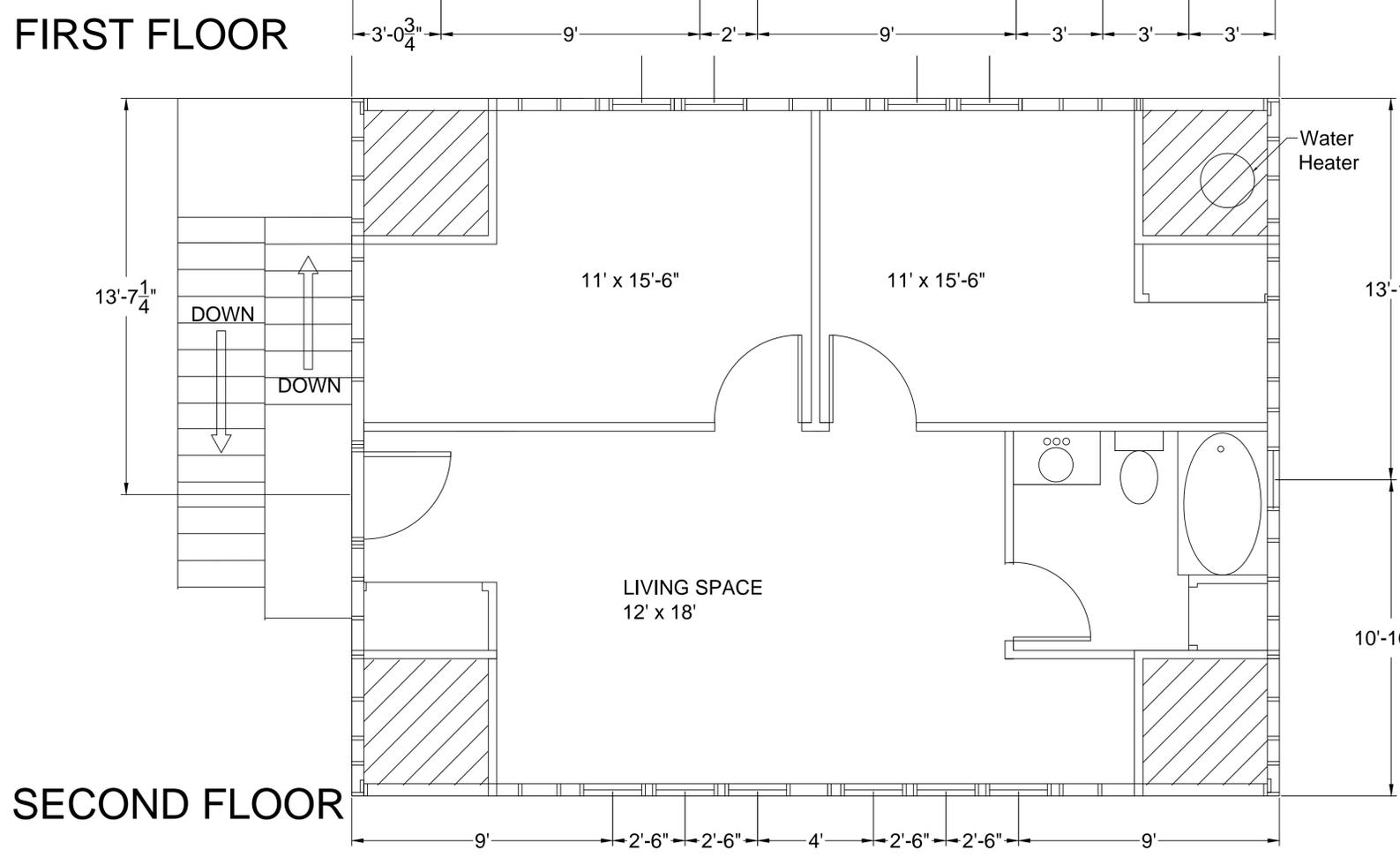
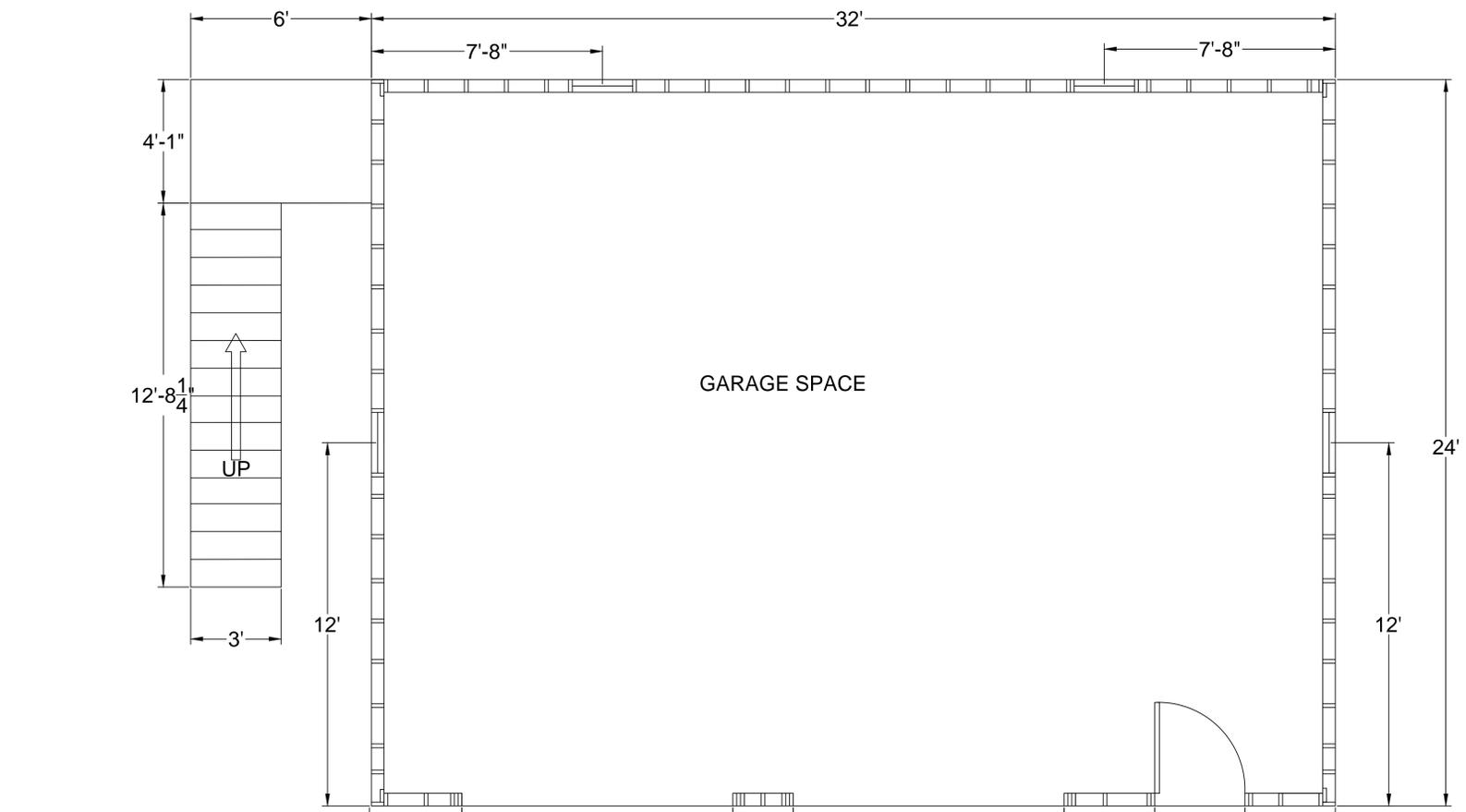


ELEVATION - East Side

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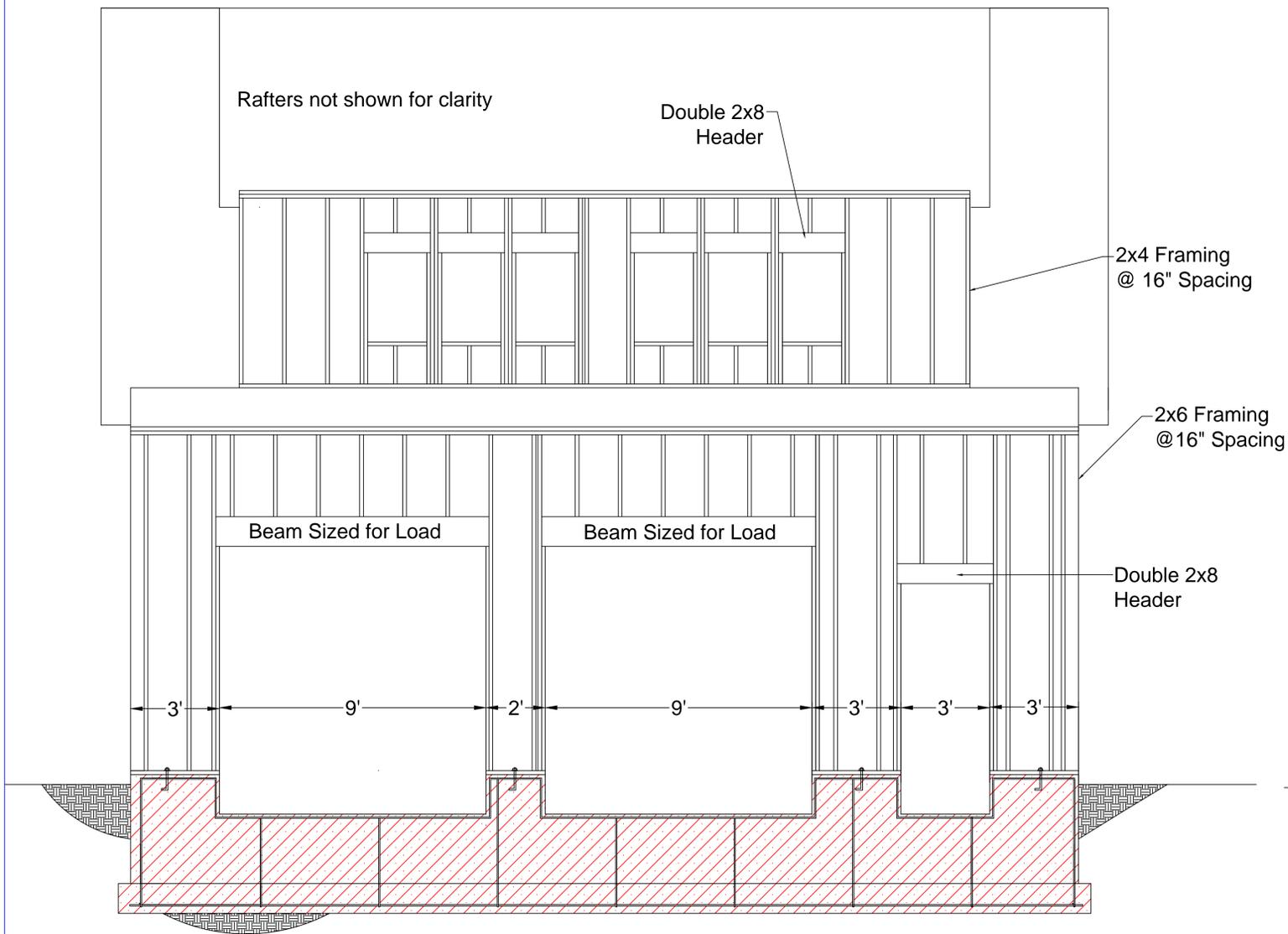
REDUCTION VERIFICATION SCALE 0 10 INCHES

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| 0  | PERMITTING SET | JCD         | 8/1/16 |
| NO.  | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK                           |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866 |                |             |        |
| <b>CONSTRUCTION DETAILS</b>                                    |                |             |        |
| SCALE  | AS SHOWN       | DRAWN       | JCD    |
|  |                | CHECKED     |        |
|  |                | SUBMITTED   |        |
|  |                | RECOMMENDED |        |

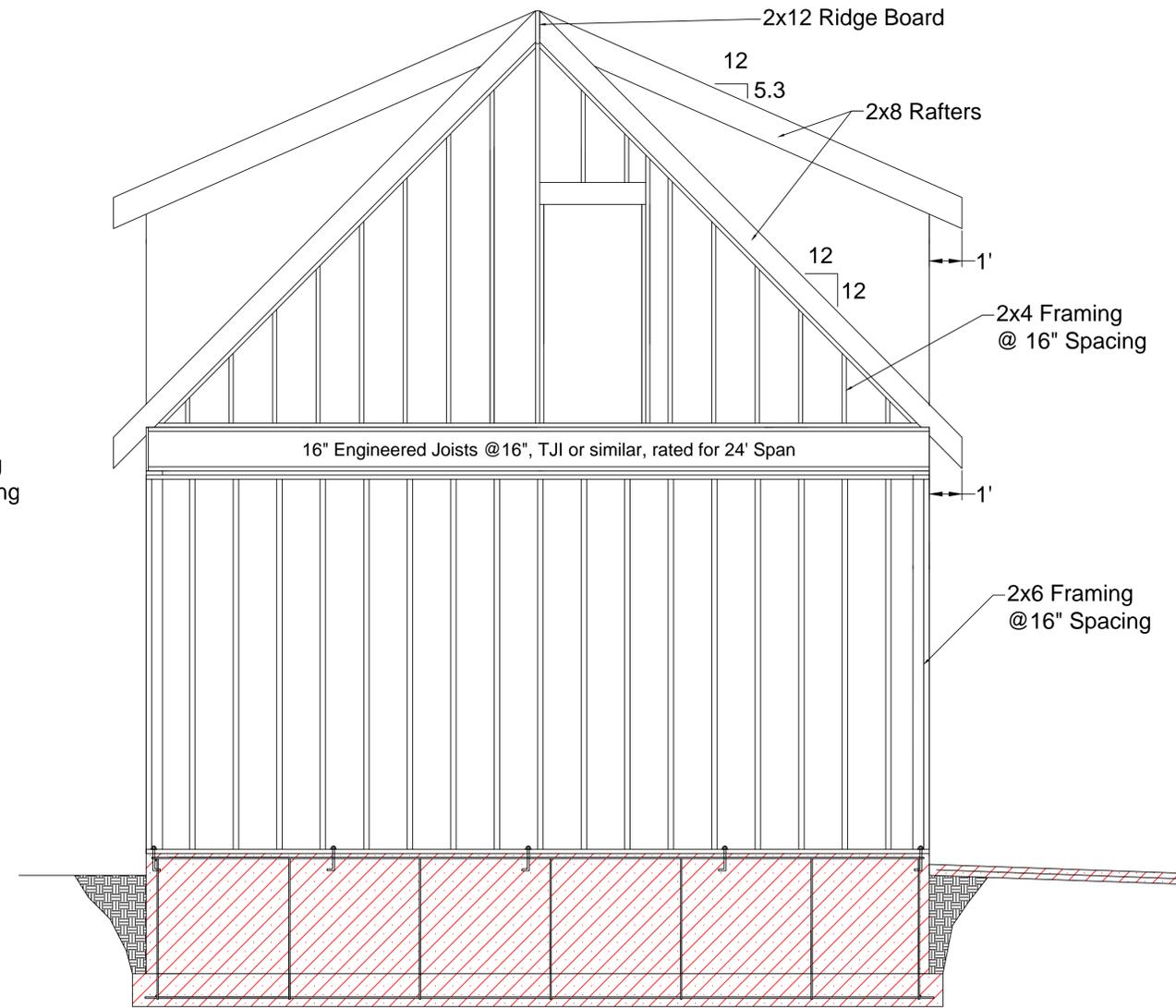


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| 0  | PERMITTING SET | JCD         | 8/1/16 |
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| NO.  | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK                           |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866 |                |             |        |
| <b>CONSTRUCTION DETAILS</b>                                    |                |             |        |
| SCALE  | AS SHOWN       | DRAWN       | JCD    |
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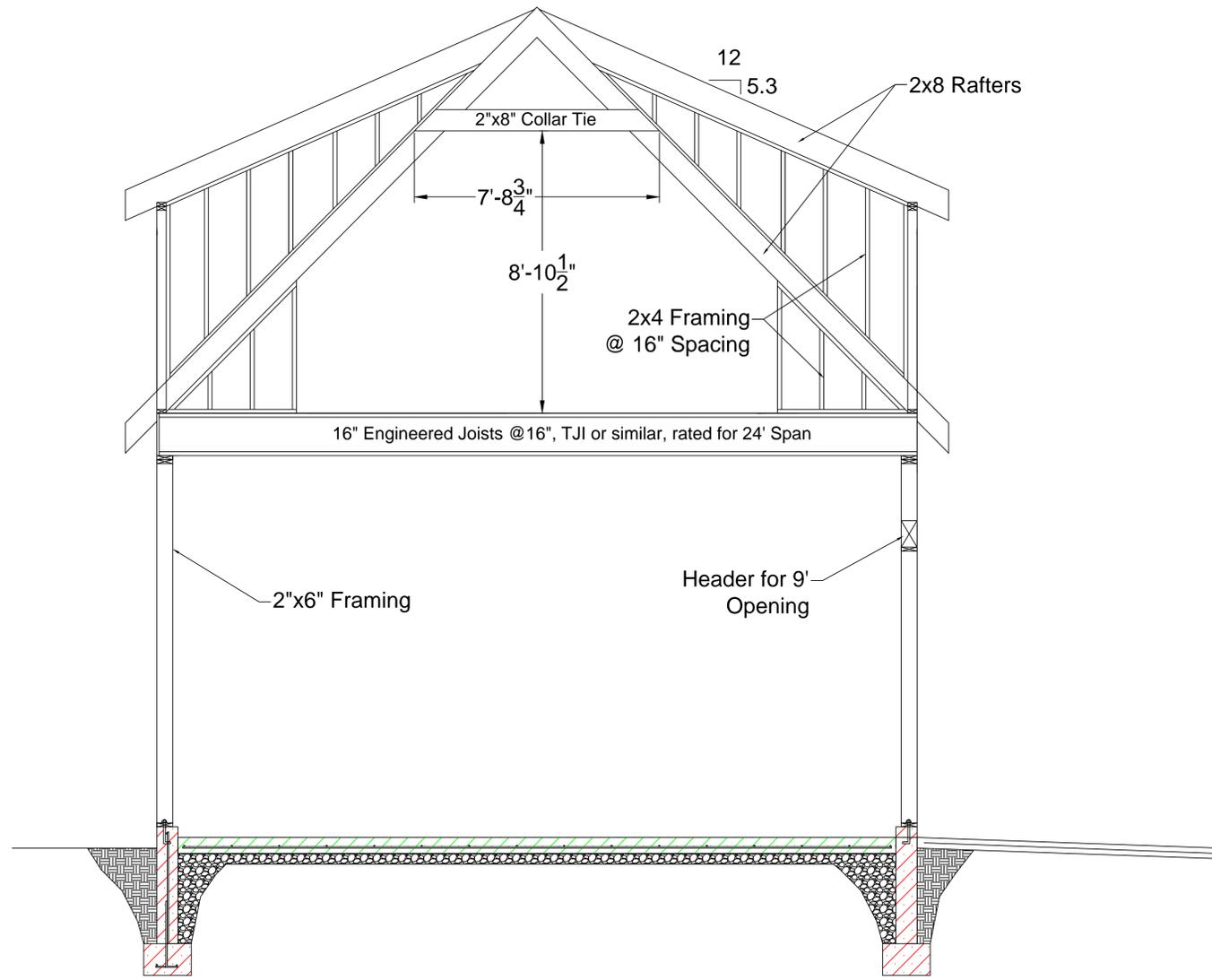


ELEVATION - Framing South Side

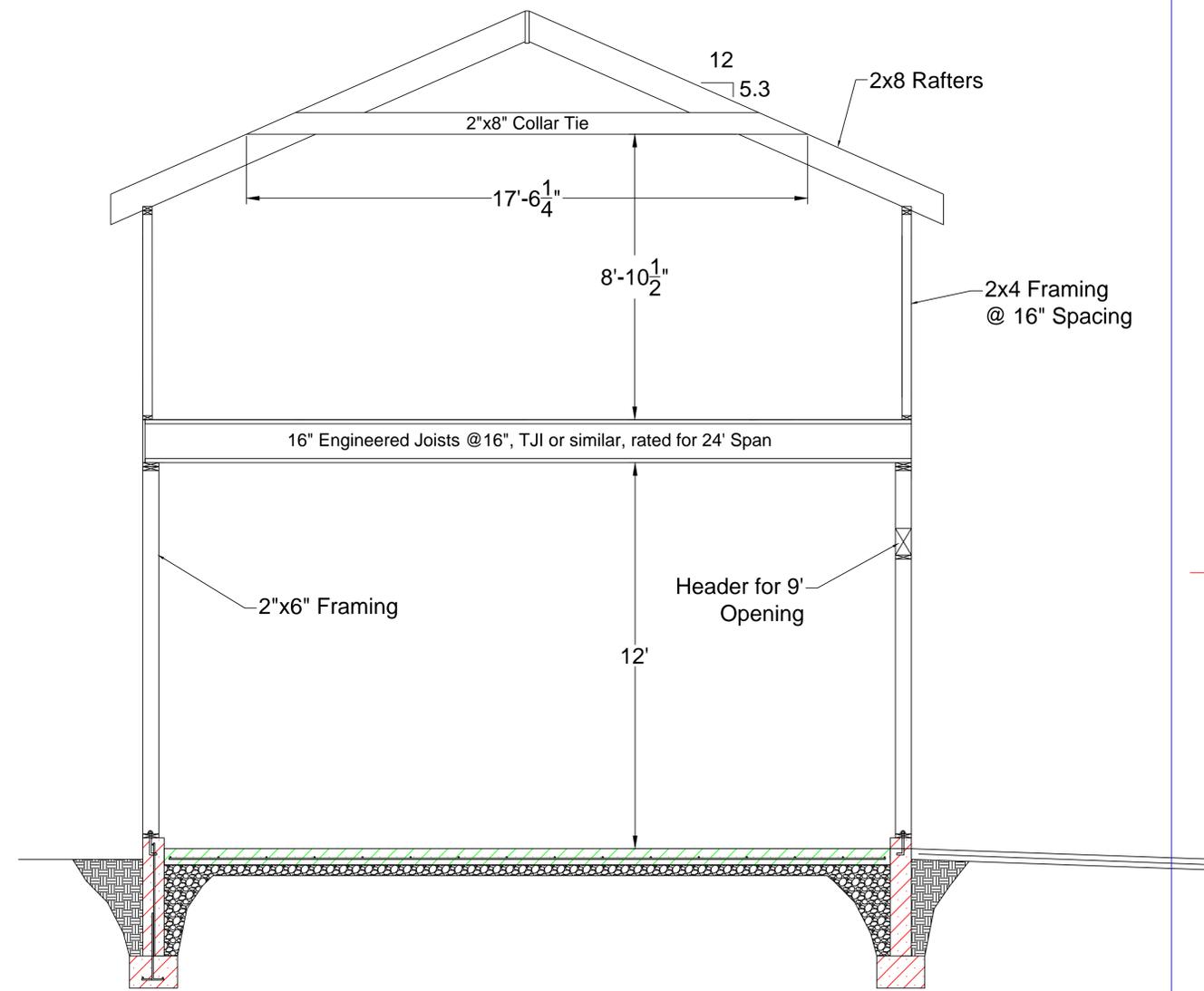


SECTION A-A

|  |                |             |        |
|--|----------------|-------------|--------|
| 0  | PERMITTING SET | JCD         | 8/1/16 |
| NO.  | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK                           |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866 |                |             |        |
| <b>CONSTRUCTION DETAILS</b>                                    |                |             |        |
| SCALE  | AS SHOWN       | DRAWN       | JCD    |
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|  |                | SUBMITTED   |        |
|  |                | RECOMMENDED |        |



SECTION B-B

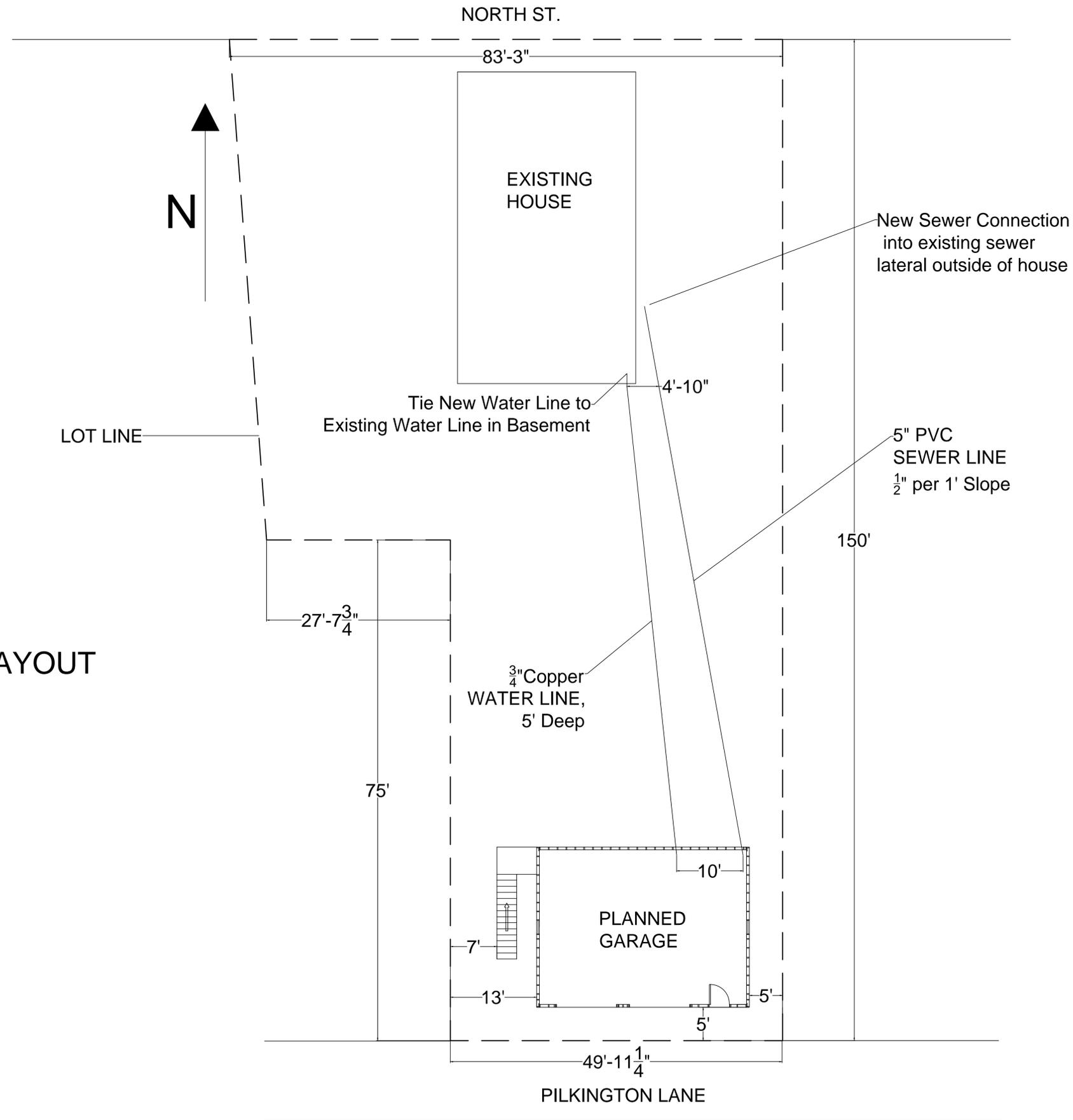


SECTION C-C

|   |                |             |        |
|---|----------------|-------------|--------|
| 0   | PERMITTING SET | JCD         | 8/1/16 |
|   |                |             |        |
| NO.   | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK  |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866<br><b>CONSTRUCTION DETAILS</b> |                |             |        |
| SCALE   | AS SHOWN       | DRAWN       | JCD    |
|   |                | CHECKED     |        |
|   |                | SUBMITTED   |        |
|   |                | RECOMMENDED |        |

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# LOT LAYOUT



|  |                |             |        |
|--|----------------|-------------|--------|
| 0  | PERMITTING SET | JCD         | 8/1/16 |
| NO.  | DESCRIPTION    | BY          | DATE   |
| CITY OF SARATOGA SPRINGS<br>NEW YORK                           |                |             |        |
| DETACHED GARAGE<br>122 NORTH ST.<br>SARATOGA SPRINGS, NY 12866 |                |             |        |
| <b>CONSTRUCTION DETAILS</b>                                    |                |             |        |
| SCALE  | AS SHOWN       | DRAWN       | JCD    |
|  |                | CHECKED     |        |
|  |                | SUBMITTED   |        |
|  |                | RECOMMENDED |        |



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
  
\_\_\_\_\_  
(Application #)  
  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

| <u>APPLICANT(S)*</u>           | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>      |
|--------------------------------|------------------------------------|----------------------------|
| Name <u>ANN MARIE PATRICIA</u> |                                    | <u>CHRISTOPHER SEMENZA</u> |
| Address [REDACTED]             |                                    | [REDACTED]                 |
| Phone [REDACTED]               | <u>/</u>                           |                            |
| Email [REDACTED]               |                                    |                            |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 8 McALLISTER DRIVE Tax Parcel No.: 166.14 - 4 - 42  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 1/27/2014 3. Zoning District when purchased: UR-1

4. Present use of property: PERSONAL RESIDENCE 5. Current Zoning District: UR-1

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply)?  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: SEEKING A VARIANCE TO ALLOW FOR AN INCREASE IN THE ALLOWABLE LOT COVERAGE FROM 20% TO 28% IN ORDER TO PERMIT THE ADDITION OF A SCREENED IN PORCH AREA.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply). *\* NOTE! (PLEASE SEE LETTER OF EXPLANATION ATTACHED REGARDING THIS) \**

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

ITEM #10 EXPLANATION:

With regard to work performed in connection with the project associated with this application:

Prior to applying for a permit for this project I consulted with the building department and reviewed the intent of the project with a detailed plot plan depicting the addition to the residence and a conceptual plan and had asked if we would be facing any constraints, set back issues etc. if the project was applied for as shown. I was told we were well within the setbacks and that we should be o.k. to obtain a building permit.

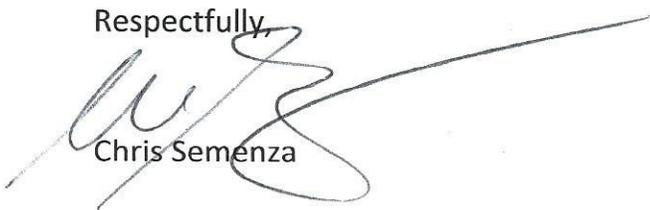
With that information, we proceeded to get engineered building plans drawn to submit for a building permit. The day we actually submitted everything for the permit application and reviewed the application at the counter again it was indicated that everything looked in order and basically a formality for issuance of a permit – but they were backed up on plan reviews and could take longer than normal.

Based on that information and the type of construction and the use of techno-metal posts piers vs. concrete piers (which negates the need for any support pier inspection) and knowing how backed up the building department is on plan reviews and that the first inspection is upon completion of framing we began to frame the deck portion of the room about 10 days after submitting the permit application. As soon as I received an e-mail from the building department stating a concern about the lot coverage percentage we immediately stopped work.

In neither of the visits did anyone at the building department mention anything to us regarding any concern for or stipulation as to maximum percentage of lot coverage. We had no idea this was a consideration or impact regarding this type of addition. Had this been mentioned we honestly and truly never would have begun.

Please understand, I take responsibility for this and ask that the owner of the home not be penalized or delayed due to this honest misunderstanding based on the criteria/information we had.

Respectfully,



Chris Semenza

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

Dimensional Requirements

From

To

ALLOWABLE LOT COVERAGE

20%

28%

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

NO MATTER WHAT THE DESIGN THE IMPACT IS STILL AN INCREASE IN COVERAGE, AND THERE IS NO AVAILABLE SURROUNDING PROPERTY AVAILABLE FOR PURCHASE.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

THE DESIGN WAS SPECIFICALLY DONE SO AS NOT TO IMPACT THE CHARACTER OF THE NEIGHBORHOOD AND WILL NOT CREATE A DETRIMENT TO NEARBY PROPERTIES BECAUSE WE ARE MAINTAINING SETBACKS FROM THE SIDE YARDS OF 31' & 19' AND REAR YARD SETBACK OF 36' - FAR MORE THAN REQUIRED.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

THE REQUESTED VARIANCE IS NOT SUBSTANTIAL BECAUSE THE EXISTING HOME (BUILT IN THE 50'S) ALREADY OCCUPIES 22% OF THE 28% NEEDED. THE SCREEN ROOM ACTUALLY IS ONLY 4 1/2% INCREASE FOR AN ACTUAL TOTAL OF 26 1/2% - BUT LOOKING FOR 28% AS A CUSHION SHOULD THEY INCLUDE STEPS OR OVERHANGS ETC. IN WHICH CASE WE WOULD REQUEST AN ADDITIONAL 5% .- BUT WE WERE TOLD BY LINDSEY GONZALEZ - ROOF OVERHANGS DO NOT IMPACT THE LOT COVERAGE.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

THE VARIANCE WILL NOT HAVE AN ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECT BECAUSE IT IS DESIGNED TO FIT THE CHARACTER OF THE NEIGHBORHOOD AND AS MENTIONED PRIOR WE HAVE SUBSTANTIAL SETBACKS MAINTAINED OF 19', 31' AND 36' ON BOTH SIDES AND REAR RESPECTIVELY.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

THE DIFFICULTY WAS NOT SELF CREATED FOR THE SIMPLE REASON THE HOME WAS EXISTING SINCE THE 50'S. AND AS THIS IS THE PERMANENT ALL YEAR ROUND HOME OF THE APPLICANT AND NOT A RENTAL OR PART TIME RESIDENCE SHE WISHES TO ENJOY THE SARATOGA SPRINGS ATMOSPHERE AND 'OUTDOOR' SUMMER LIFESTYLE THE AREA HAS TO OFFER WHICH IS WHAT THE SCREEN ROOM WOULD ALLOW HER TO DO WITHOUT BEING CONCERNED ABOUT NUISANCE INSECTS. AND PROVIDING COVER FROM SUN & RAIN WHILE ENJOYING THE OUTDOORS.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
(applicant signature)

Date: August 16, 2016

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

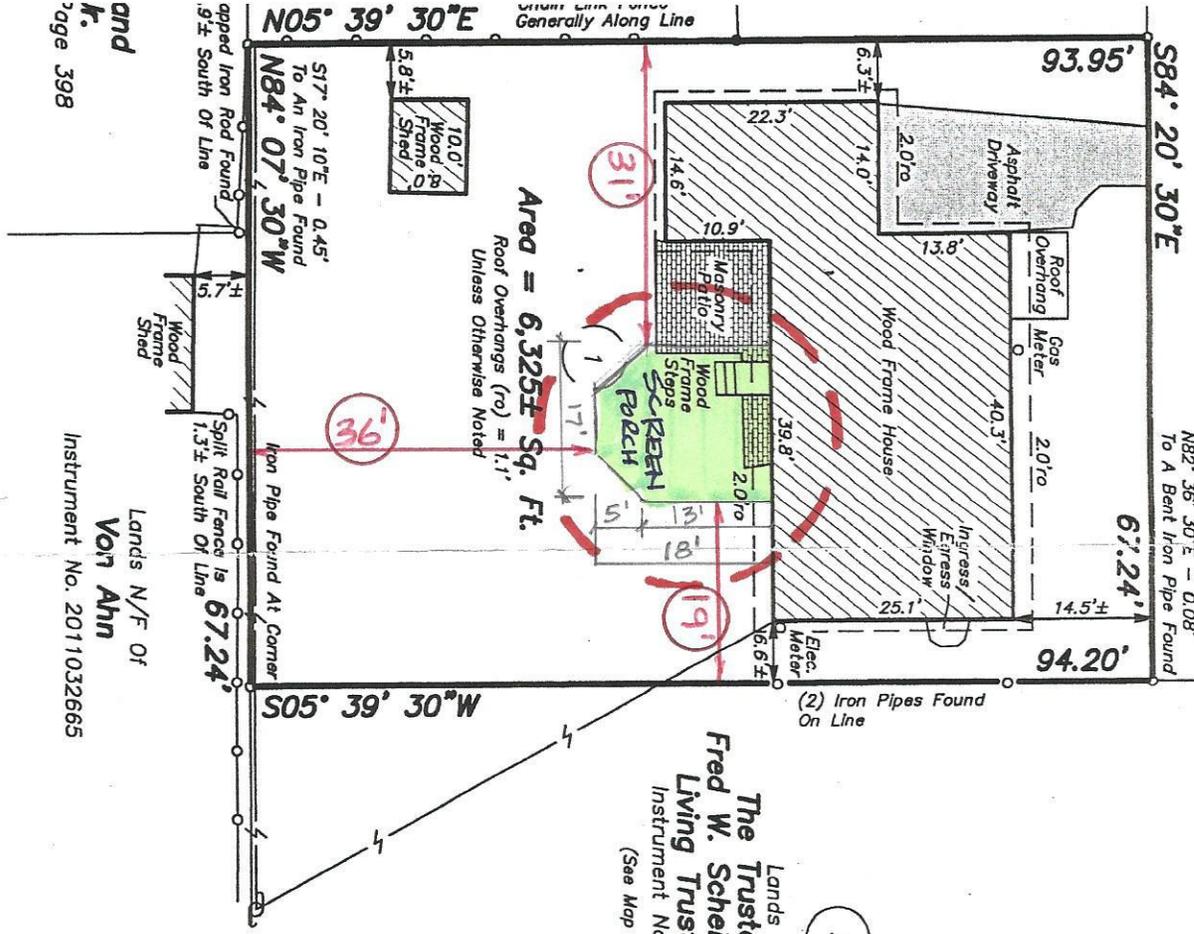
Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# MCALLISTER DRIVE

(60' R.O.W.)



Lands N/F Of  
**The Trustees of The  
Fred W. Scheigert Revocable  
Living Trust Agreement**  
Instrument No. 2012043168  
(See Map Ref. #2)

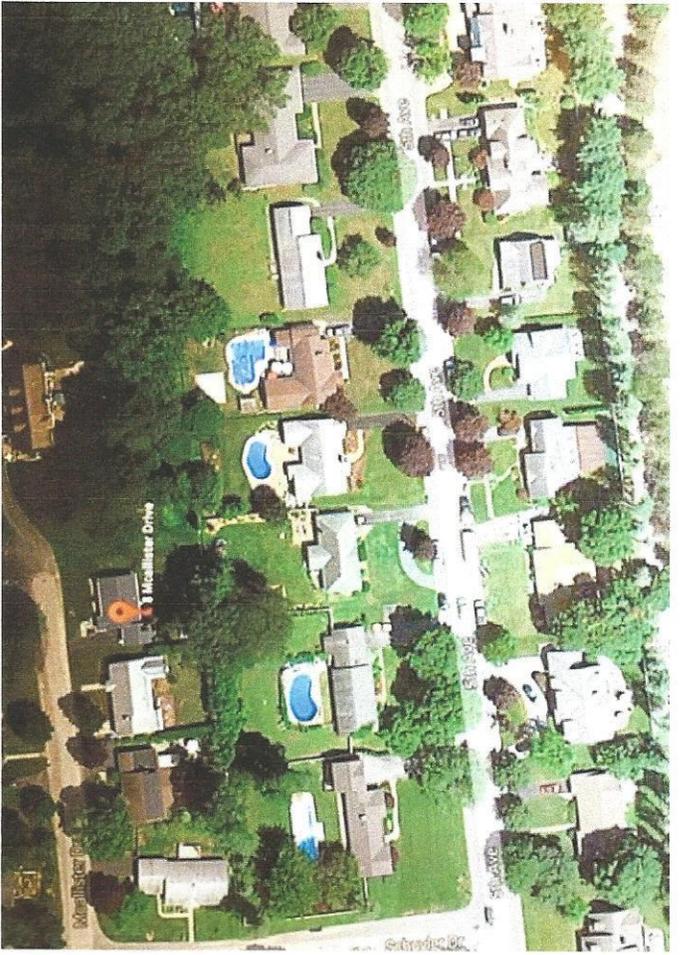
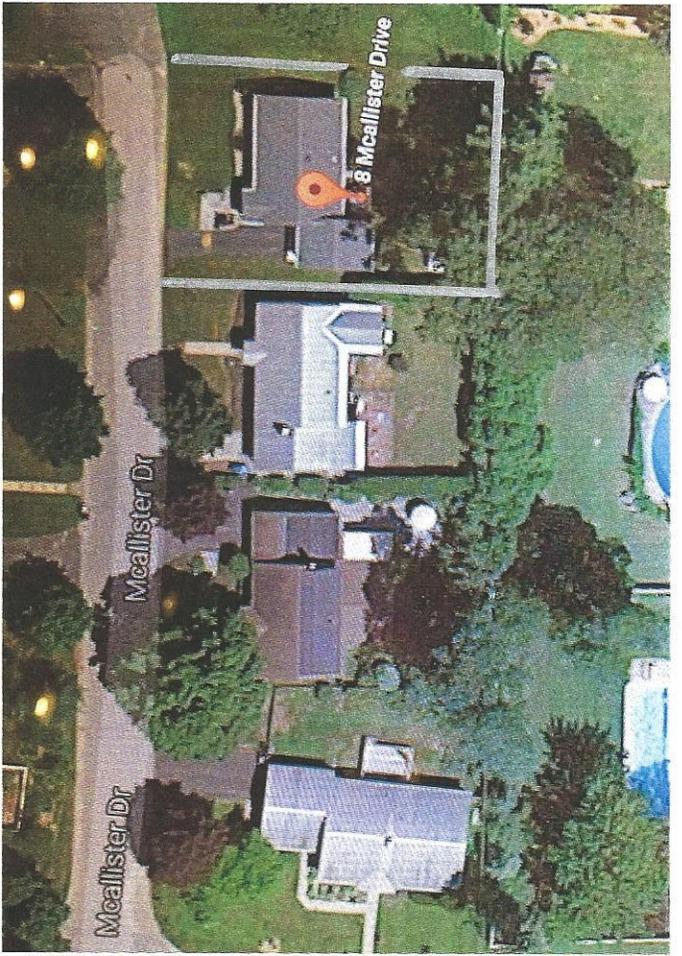
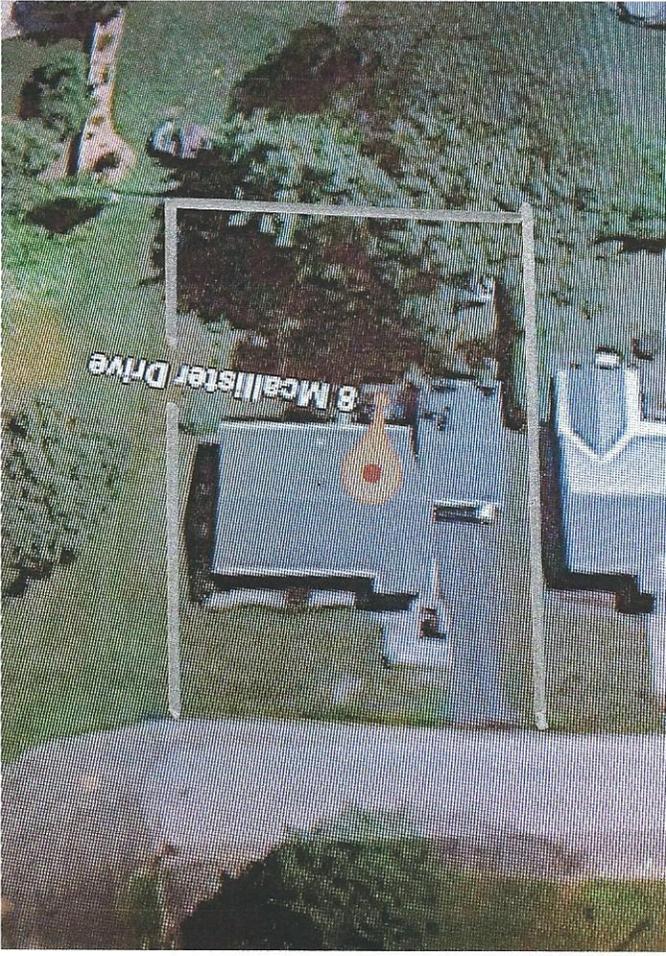
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k.  
Page 398

*Deanne J. McAllister*

Lands N/F Of  
**Von Ahn**  
Instrument No. 2011032665

Final Survey - 5/19/14

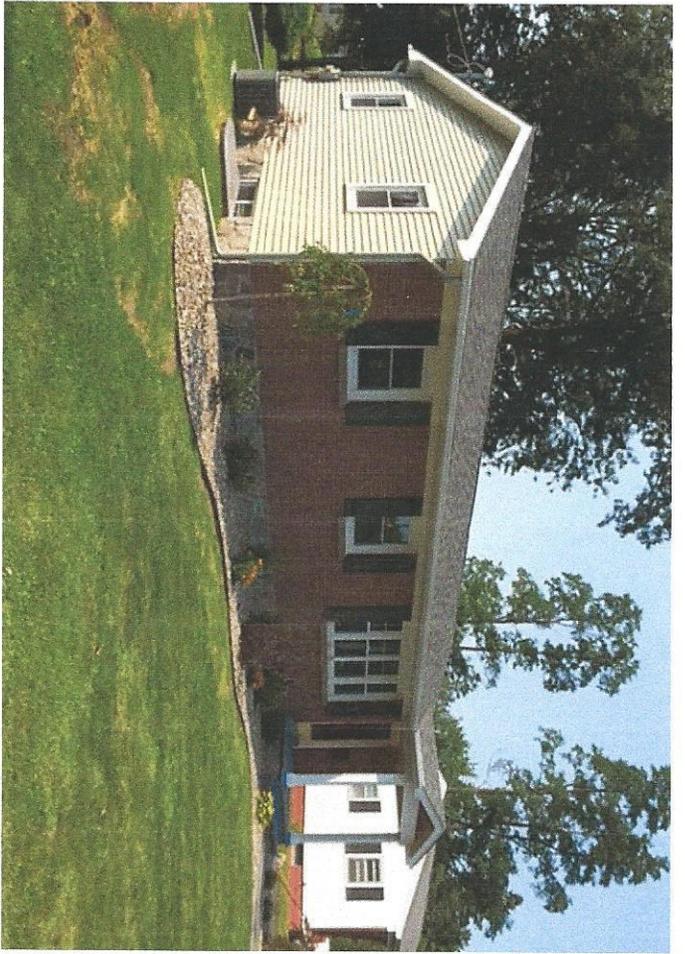
|                               |                           |
|-------------------------------|---------------------------|
| <b>SURVEY</b>                 |                           |
| <b>LANDS OF</b>               |                           |
| <b>ANN MARIE PATRICIA</b>     |                           |
| CITY OF SARATOGA SPRINGS      | SARATOGA COUNTY, NEW YORK |
| SCALE: 1" = 20'               | DATE: MAY 29, 2014        |
| TELEPHONE NO.: (518) 383-0634 | MAP NO.: 14 - 11 - 47     |
| <b>Gilbert Vanguilder</b>     |                           |
| <b>Land Surveyor, PLLC</b>    |                           |
| Professional Land Surveyors   |                           |





18 M... ..

Google



BACKYARD FACING (WEST) TOWARD #6 McHURSTEE



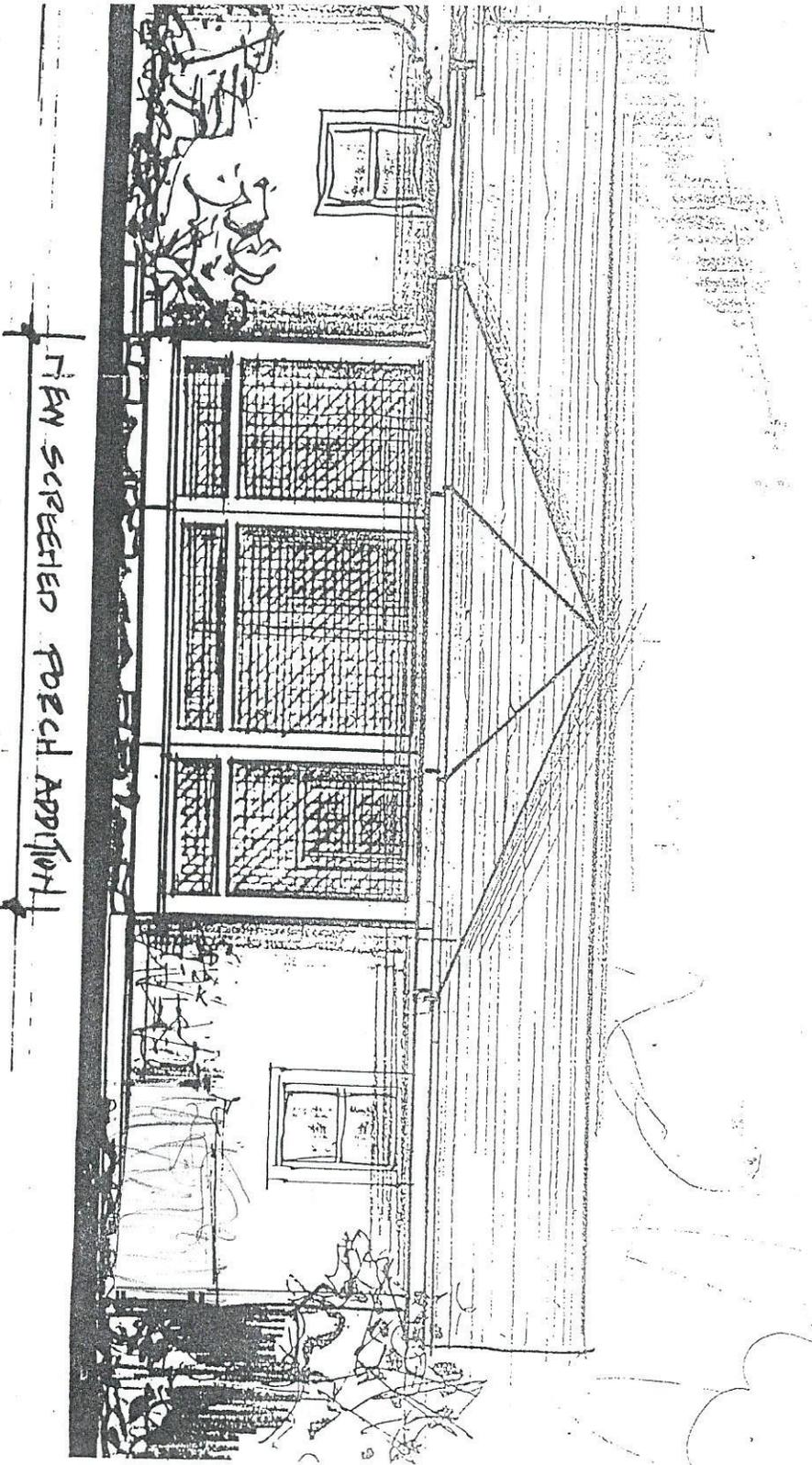
BACKYARD VIEWS FACING NEIGHBORS TO EACH SIDE & DIRECTLY BEHIND.



BACKYARD FACING (EAST) TOWARD #9 McHURSTEE



BACKYARD FACING (SOUTH) TOWARD #107 5TH AVE.



NEW SCREENED PORCH ADDITION

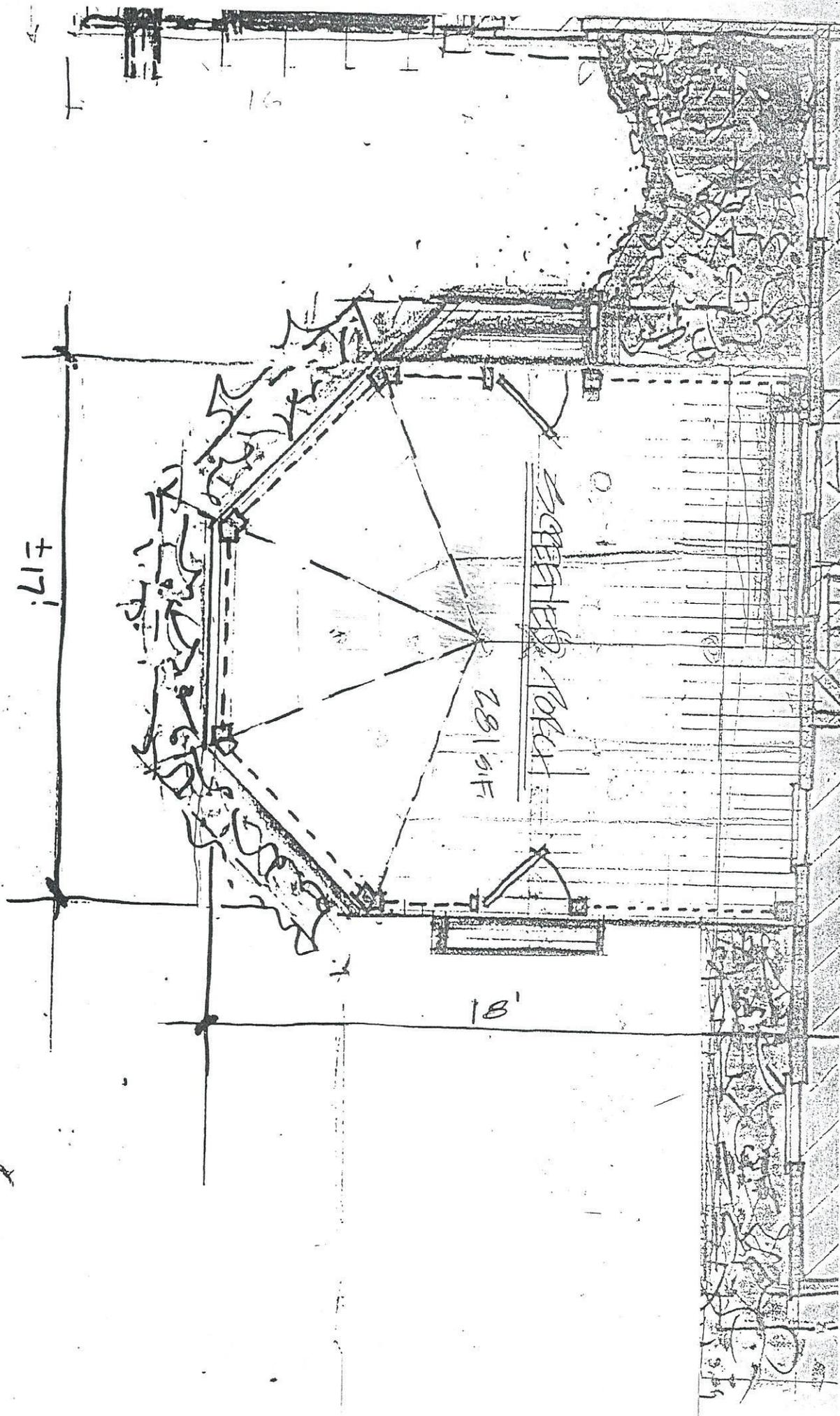
REAR ELEVATION - PRELIMINARY CONCEPT

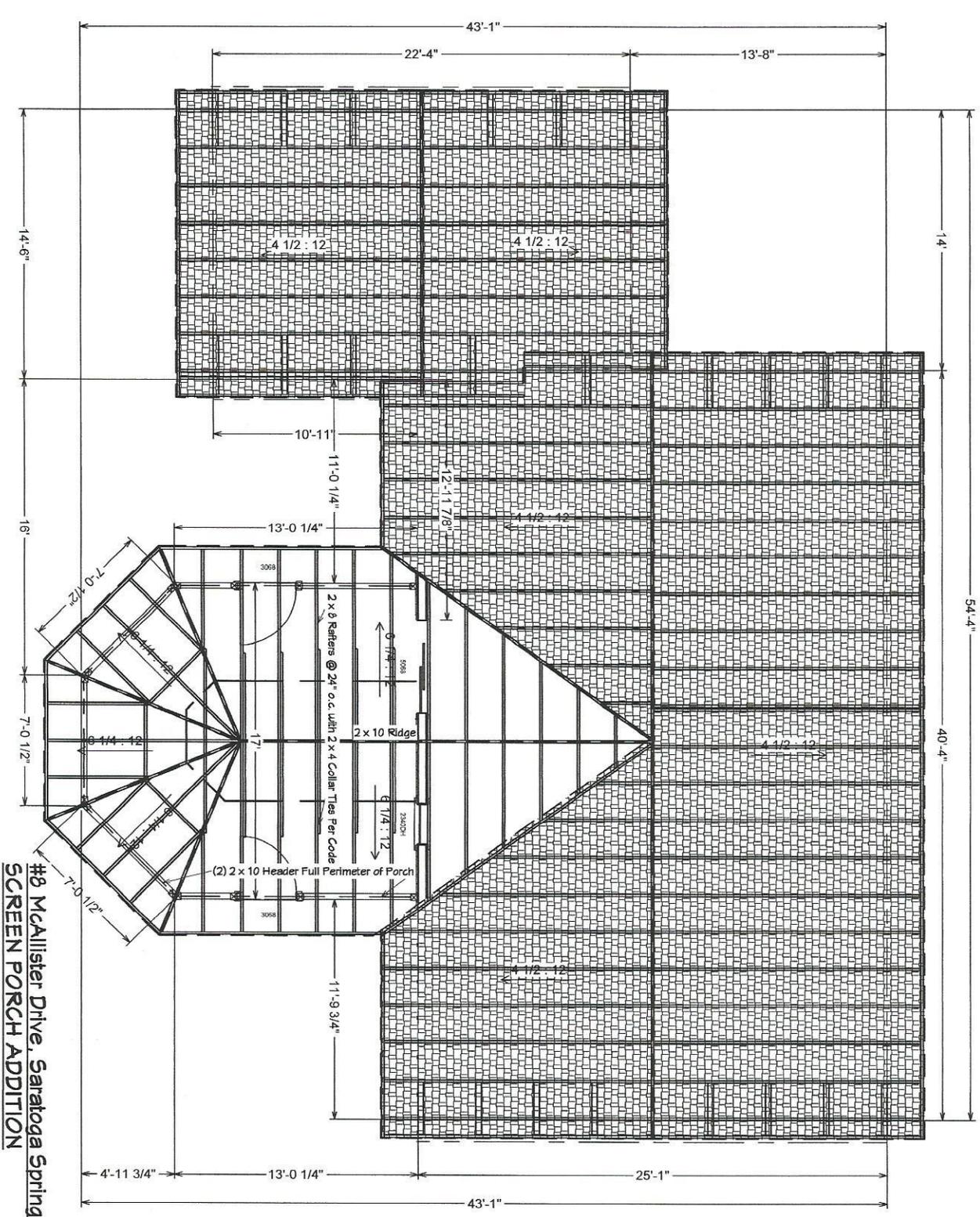
1/4" = 1' 0"

6.9.16

PARTIAL PLAN - PRELIMINARY CONCEPT

$\pm 1/4" = 1'0"$  6.9.16





#8 McAllister Drive, Saratoga Springs, N.Y.  
 SCREEN PORCH ADDITION



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>                           |
|---------|----------------------|------------------------------------|---|
| Name    | Mary Beth Delarm     | (Same)                             | Tonya Yasenchak, PE / Engineering America       |
| Address | [REDACTED]           |                                    | 76 Washington St.<br>Saratoga Springs, NY 12866 |
| Phone   | /                    | /                                  | [REDACTED]                                      |
| Email   |                      |                                    | [REDACTED]                                      |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 96 Quevic Dr Tax Parcel No.: 190 8 5 5  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 9/9/2014 3. Zoning District when purchased: UR-1

4. Present use of property: Single Family Residence 5. Current Zoning District: UR-1

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply)?  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Renovation of existing 2 car garage to grade level living area. Second floor addition over the existing garage for 2 additional bedrooms. Addition to left / south side of existing house for 1 car garage with storage above. 8' addition to rear of existing and new garage for expanded living space, new stairs, new bath & future lift.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):  
 INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief?  Yes  No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Table 3: Area & Bulk

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>         | <u>From</u> | <u>To</u> |
|---|-------------|-----------|
| Min. Yard Setback: Front                | 30.0'       | 26.5'     |
| Min. Yard Setback: Side (Right / South) | 12.0'       | 8.8'      |
| Accessory Structure Coverage            | 8.0%        | 12.1%     |
| Accessory Structure Setbacks: Side      | 5.0'        | 1.2'      |
|   |             |           |
|   |             |           |
|   |             |           |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The benefit cannot be achieved by any other means:

- a) ~~The Home Owner requires living space on the grade floor for future accessibility needs. Renovating the existing garage for this accessible living area is easier than providing an accessible main front entry under the existing porch.~~
- b) ~~The existing garage is already at 26.5' from the front property line. Therefore the new 2nd floor will be closer than the min. 30' front setback required. Setting the 2nd floor back to allow for a 30' front setback would reduce the size of the upper floor and be more difficult to construct.~~
- c) ~~The house as it exists is only 2 bedrooms. Renovating the existing house to add another bedroom within is difficult due the existing house structure and location 1/2 below grade for correct egress / emergency escape and rescue requirements.~~
- d) ~~Locating the new garage behind the existing garage would reduce the requirement for the min. side yard setback. However, it would limit sun to the pool and also increase the driveway length, bringing the driveway closer to the neighbor.~~
- e) ~~No additional land is available for sale.~~
- f) ~~A more narrow garage addition at 12' (11.5' interior) would be tight for parking.~~
- g) ~~Moving the pre-existing tree house / shed would be impossible.~~

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Granting the variances should not cause an undesirable change in the character of the neighborhood:

- a) ~~The residence is pre-existing, non-conforming with the location on the lot and proximity to the front property line. The new additions will not be any closer to the front property line than what currently exists.~~
- b) ~~The addition to the residence will upgrade the current condition of the residence. The increase sq.ft. area of the residence will increase the value of the home & neighborhood.~~
- c) ~~The new right / south addition of a single car garage does not bring the living space any closer to the adjacent neighbor.~~
- d) ~~The Tree house / shed has been pre-existing for many years with no complaints.~~

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variances are not substantial:

- a) The front setback proposed at 26.5' instead of the 30' min. required is only a 3.5' variance at 11.7%. This is not substantial as the house currently exists at this same setback.
- b) The proposed side setback at 8.8' instead of the 12' min. required is a 3.2' variance at 26.7%. This is not substantial and does not bring living space closer to the adjacent neighbor.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The proposed variances should not have any adverse physical or environmental effects on the neighborhood:

- a) The resulting permeability of the project site will still be well below the 30% min. site permeability.
- b) Construction at the project site will be an improvement to the current conditions.
- c) No large trees will be removed as part of this proposed project.
- d) The proposed project will not shade any adjacent neighbors.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The alleged difficulty is self-created as it is the Home Owners desire to stay in the home as she matures. She has been diagnosed with various medical conditions which may preclude the need for a lift and grade elevation living. In the mean time, the Home Owner will most probably have an elderly relative living with her who also requires grade elevation living. The pre-existing, non-conforming front setback of the home is not self-created. Also, the tree house / shed was constructed prior to the current Owner.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Mary Beth Delarm  
(applicant signature)

Date: 6/13/2016

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

TABLE 3: AREA AND BULK SCHEDULE

| ZONING DISTRICT | MINIMUM LOT SIZE SQUARE FEET (SF) | MINIMUM AVERAGE WIDTH (FT) | MAXIMUM BUILDING COVERAGE PERCENTAGE |               | MIN. YARD SETBACK (FEET) |      |           | PRINCIPAL BUILDINGS |   | MINIMUM DISTANCE TO ACCESSORY BUILDING (FEET) |                    |                |               | MINIMUM % TO REMAIN PERMEABLE |               |
|-----------------|-----------------------------------|----------------------------|--------------------------------------|---------------|--------------------------|------|-----------|---------------------|---|---|--------------------|----------------|---------------|-------------------------------|---------------|
|                 |                                   |                            | PRINCIPAL BLDG.                      | ACCESS. BLDG. | FRONT                    | REAR | EACH SIDE | TOTAL SIDE          | MINIMUM 1 <sup>ST</sup> FLOOR AREA (SF) | MAX HEIGHT (FEET)                             | PRINCIPAL BUILDING | FRONT LOT LINE | SIDE LOT LINE |                               | REAR LOT LINE |
| RR (F)          | 2 acres                           | 200                        | 15                                   | 5             | 60                       | 100  | 30        | 100                 | -----                                   | 35  | 5                  | 60             | 30            | 50                            | 80            |
| SR-1 (F)        | 40,000                            | 125                        | 20                                   | 8             | 40                       | 40   | 15        | 35                  | -----                                   | 35  | 5                  | 40             | 10            | 10                            | 40            |
| SR-2            | 20,000 (A)                        | 100                        | 25                                   | 8             | 30                       | 30   | 12        | 30                  | -----                                   | 35  | 5                  | 30             | 5             | 5                             | 30            |
| UR-1            | 12,500 (A)                        | 100                        | 20                                   | 8             | 30                       | 30   | 12        | 30                  | 1 Story = 1,100<br>2 Story = 800        | 60  | 5                  | 30             | 5             | 5                             | 30            |
| UR-2            | 6,600 (A)                         | 60                         | 30                                   | 10            | 10                       | 25   | 8         | 20                  | 1 Story = 900<br>2 Story = 700          | 60  | 5                  | 10             | 5             | 5                             | 25            |
| UR-3            | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units  | 30                                   | 10            | 10                       | 25   | 4         | 12                  | 1 Story = 1,200<br>2 Story = 800        | 60  | 5                  | 10             | 5             | 5                             | 25            |
| UR-4            | 3,000/DU                          | 100                        | 25                                   | 15            | 25                       | 25   | 20        | 45                  | 1 Story = 1,800<br>2 Story = 1,200      | 70  | 10                 | 25             | 5             | 5                             | 15            |
| UR-4A           | 2,000/DU                          | 60 1-unit /<br>80 2-units  | 30                                   | 10            | 10                       | 25   | 4         | 12                  | 1 Story = 1,200<br>2 Story = 800        | 70  | 5                  | 10             | 5             | 5                             | 15            |
| UR-5            | 3,000/DU                          | 100                        | 25                                   | 15            | 25                       | 25   | 20        | 45                  | 1 Story = 1,800<br>2 Story = 1,200      | 185   | 20                 | 20             | 10            | 10                            | 15            |
| UR-6            | 4,800                             | 60                         | 30                                   | 10            | 25                       | 25   | 8         | 20                  | 900                                     | 35  | 5                  | 25             | 5             | 5                             | 25            |
| UR-7            | 4,000                             | 50                         | 45                                   | 10            | 10                       | 10   | 4         | 8                   | 1,000                                   | 35  | 5                  | 10             | 5             | 5                             | 20            |
| NCU-1           | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units  | 30                                   | 10            | 10                       | 25   | 4         | 12                  | 1 story = 1,200<br>2 story = 800        | 60  | 5                  | 10             | 5             | 5                             | 25            |
| NCU-2           | 6,600 1-unit /<br>8,000 2-units   | 60 1-unit /<br>80 2-units  | 30                                   | 10            | 10                       | 25   | 4         | 12                  | 1 story = 1,200<br>2 story = 800        | 60  | 5                  | 10             | 5             | 5                             | 25            |
| NCU-3           | 3,000/DU                          | 60 (H)                     | 30                                   | 10            | 10 (I)                   | 25   | 4 (J)     | 12                  | 1 story = 1,800<br>2 story = 1,200      | 50  | 5                  | 10             | 5             | 5                             | 20            |

Delarm Addition:  
#96 Quevic Dr. Saratoga Springs, NY



Left / North elevation of existing residence as viewed facing South West from rear yard of project site



Front / West elevation of existing residence as viewed facing East from Quevic Dr.



Rear / East elevation of existing residence as viewed facing West from rear yard of project site



Right / South elevation of existing garage as viewed facing North from side yard of project site

Delarm Addition:

#96 Quevic Dr. Saratoga Springs, NY



Existing side yard of project site and adjacent property to the South as viewed facing East from Quevic



Adjacent residence to the Right / South of project site as viewed facing South East from Quevic



Residence to the West of project site as viewed facing West across Quevic Dr.



Adjacent residence to the Left / North of project site as viewed facing North from Quevic Dr.

Delarm Addition:

#96 Quevic Dr. Saratoga Springs, NY



Existing pool and view of adjacent property to the North as viewed facing North from rear yard of project site



Left rear yard of project site as viewed facing North from rear yard



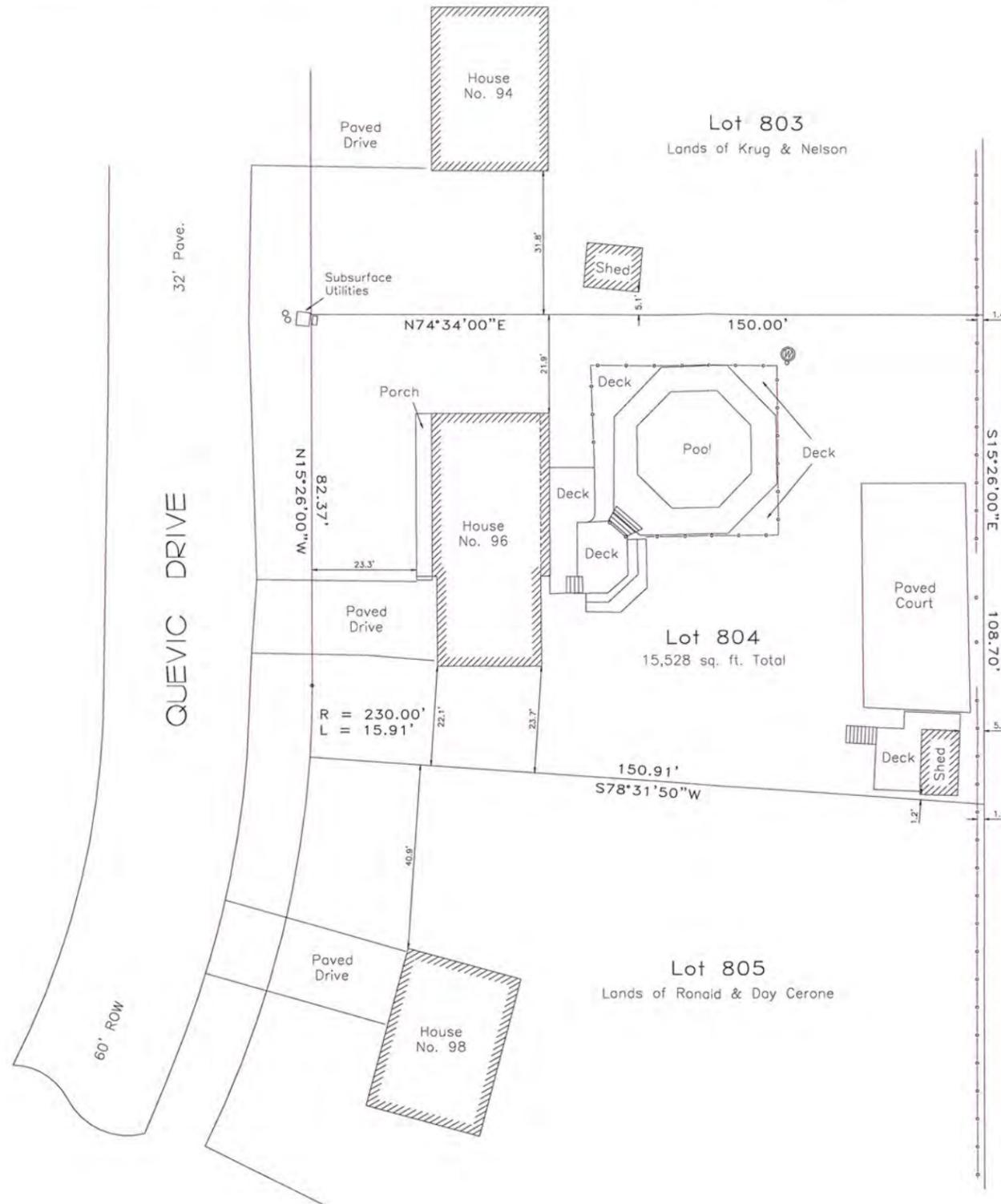
Shed / Tree house at right rear of project site as viewed facing South East from pool area of project site



View of right / South side of yard as viewed facing South from pool area at project site



**Key:**  
 IRS = iron rod set  
 — = chain link fence



**Notes:**

1. Subject Deed: Mary Beth Delarm and Daniel Delarm to Mary Beth Delarm dated 9 September 2014 and recorded in the Saratoga County Clerk's office as instrument 2014026930. Tax Id. 190.08-5-5
2. Lot numbers refer to a map entitled "Section No. 15, Geyser Crest" dated 15 December 1975 by C.T. Male Associates and recorded in the Saratoga County Clerk's office on 18 April 1977 as map AAA-57.

Lands of  
**Beaver Pond Village Homeowners Association**  
 Instrument 2013029991

SURVEY FOR  
**MARY BETH DELARM**

— situate in —

CITY OF SARATOGA SPRINGS SARATOGA CO., N.Y.

SCALE 1"=30' 6 MAY 2016

Copyright 2016 by Benchmark Surveying, 14 Dutchess Court, Saratoga Springs, N.Y. 885-5055

I hereby certify to:  
 Mary Beth Delarm

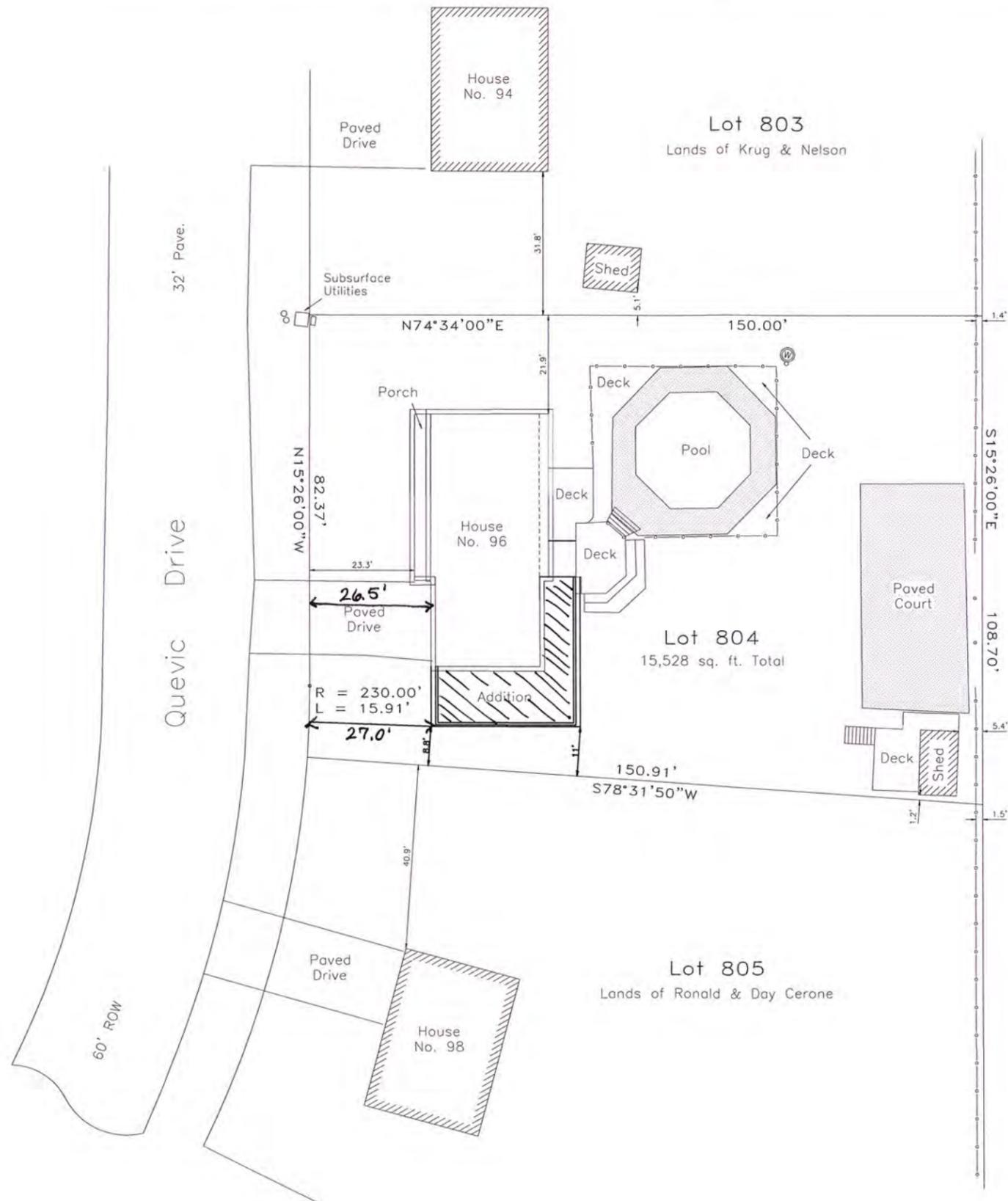
*Terry L. Humiston*  
 Terry L. Humiston LS 49472

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors.

Unauthorized alteration or addition to this map is a violation of Article 145, section 7209, sub-paragraph (2) of the New York State Education Law.



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Lands of  
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 Homeowners Association  
 Instrument 2013029991

Survey for

mary beth delarm

— situate in —

city of saratoga springs Saratoga Co., N.Y.

June 13, 2016

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# Delarm

## Legend

-  County
  -  Municipal Boundaries
  -  Parcels
- Local Roads
-  Local
  -  State and County
  -  US and Interstate



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthoimagery) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

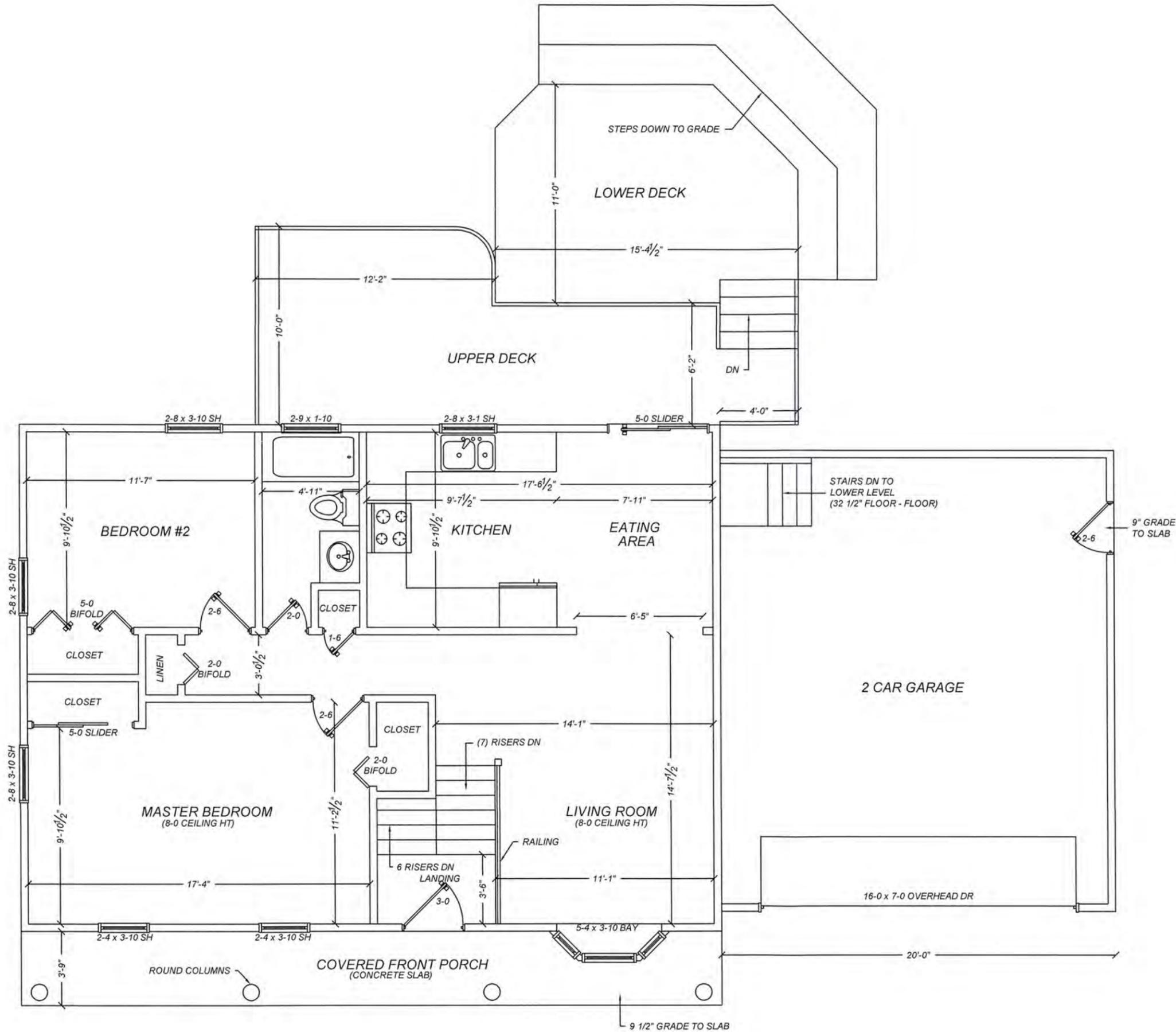
DELARM RESIDENCE ADDITION  
# 96 QUEVIC DR.  
SARATOGA SPRINGS, NY

# EXISTING MAIN FLOOR

JUNE 9, 2016 SCALE: 3/16" 1' 0"

DOCUMENTED BY:  
ENGINEERING AMERICA CO.  
76 WASHINGTON ST., SARATOGA SPRINGS, NY  
518 / 587 - 1340

NOTE: ACTUAL DIMENSIONS MAY VARY SLIGHTLY.  
FIELD VERIFY MEASUREMENTS, PIER FOUNDATION  
AND EXISTING JOISTS PRIOR TO CONSTRUCTION.  
NOTIFY DESIGN ENGINEER IMMEDIATELY WITH  
ANY/ALL DISCREPANCIES FOR DETERMINATION.



DELARM RESIDENCE ADDITION  
# 96 QUEVIC DR.  
SARATOGA SPRINGS, NY

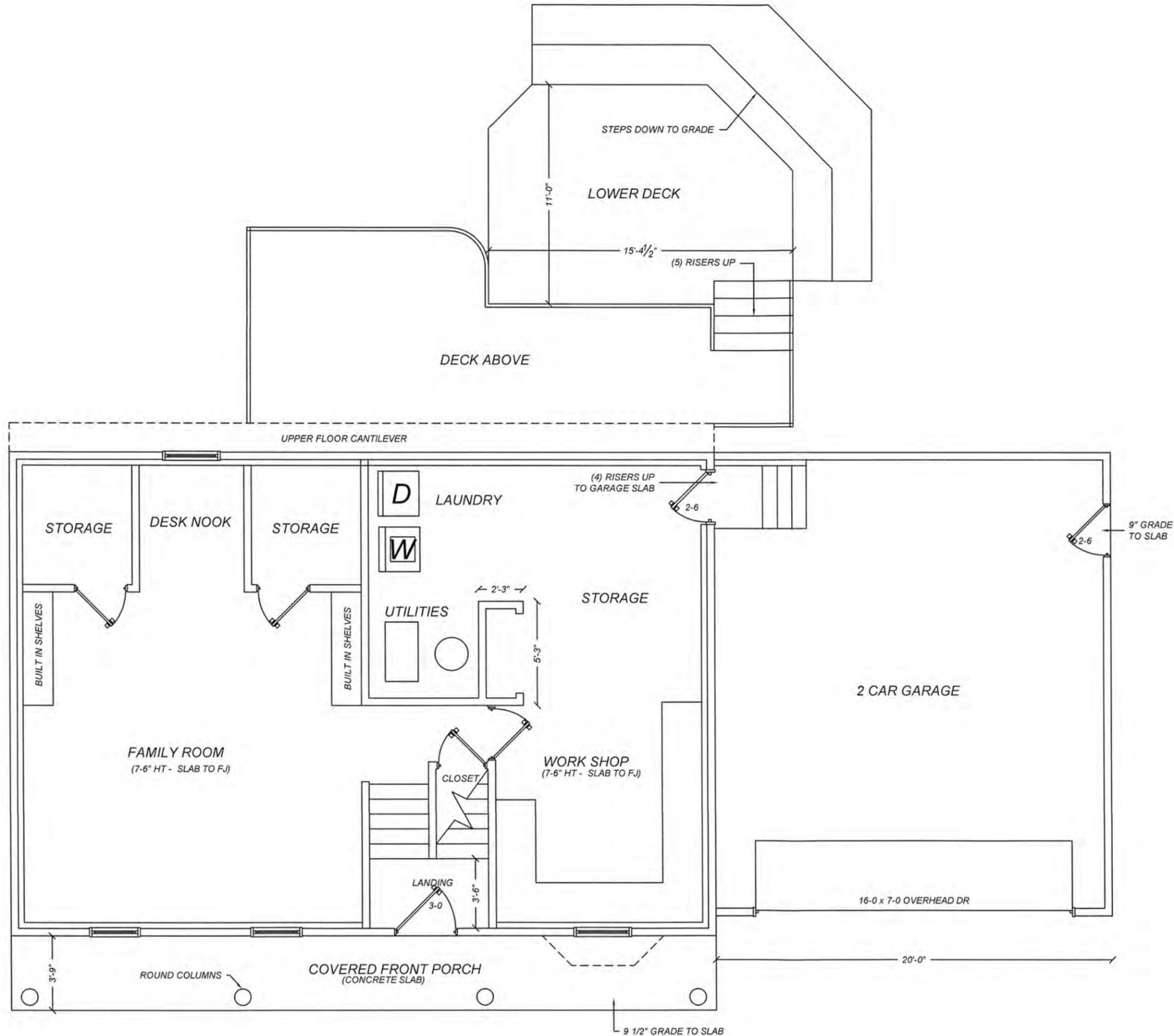
# EXISTING LOWER FLOOR

JUNE 9, 2016

SCALE: 3/16" = 1'-0"

DOCUMENTED BY:  
ENGINEERING AMERICA CO.  
76 WASHINGTON ST., SARATOGA SPRINGS, NY  
518 / 587 - 1340

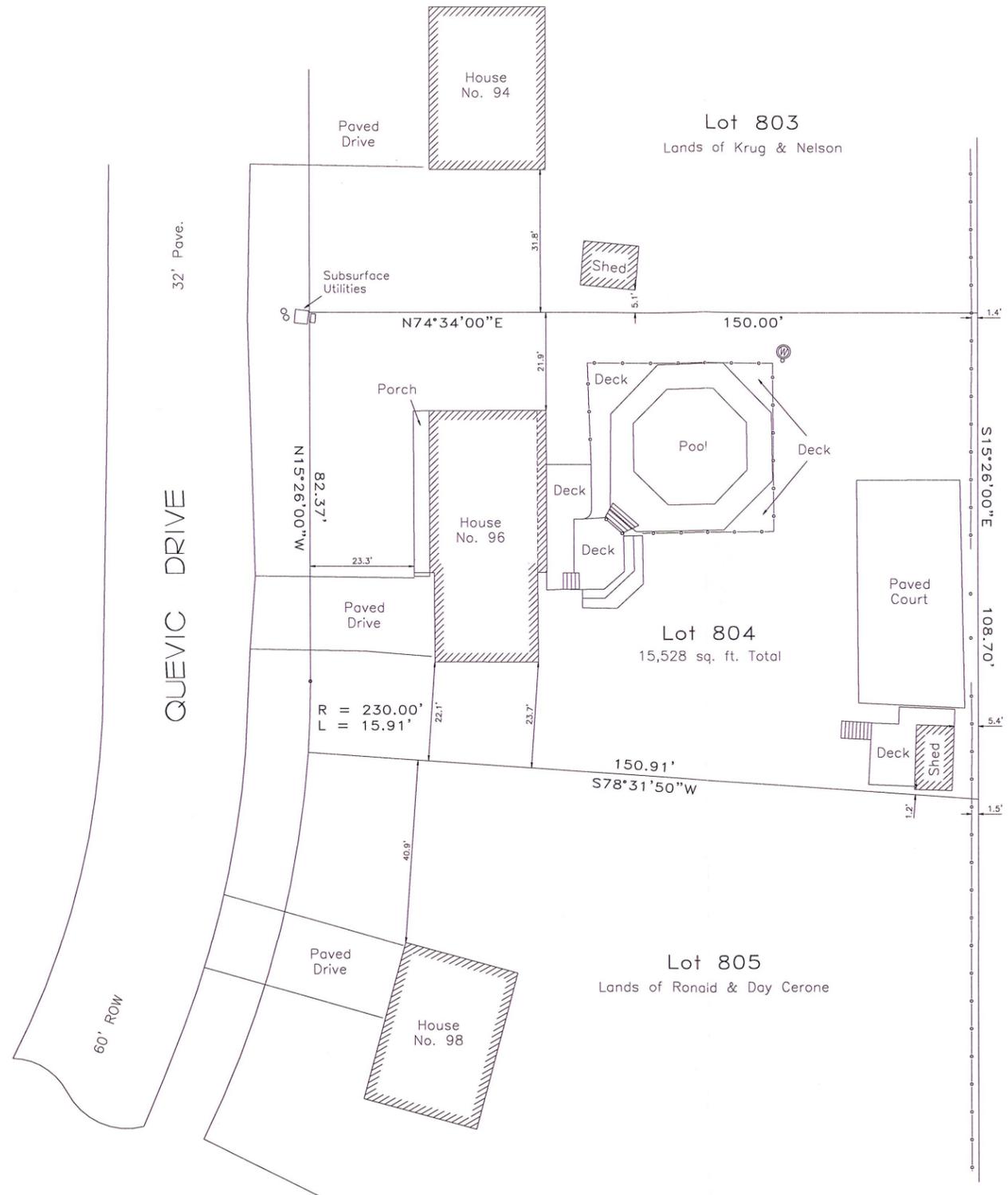
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Lands of  
**Beaver Pond Village**  
 Homeowners Association  
 Instrument 2013029991

SURVEY FOR  
MARY BETH DELARM

— situate in —

CITY OF SARATOGA SPRINGS SARATOGA CO., N.Y.

SCALE 1"=30' 6 MAY 2016

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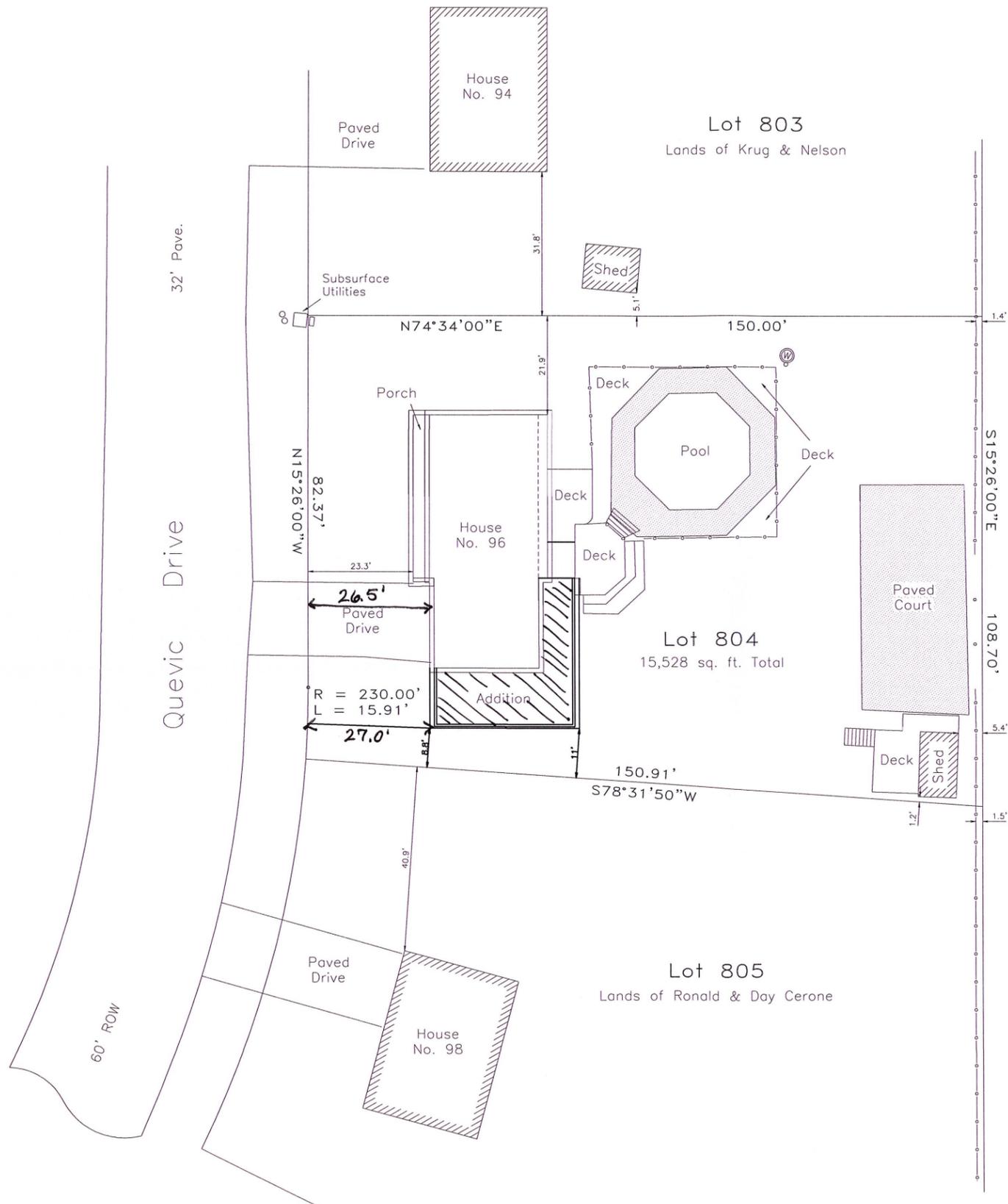
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Survey for  
mary beth delarm

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city of saratoga springs Saratoga Co., N.Y.

June 13, 2016

# Delarm

## Legend

-  County
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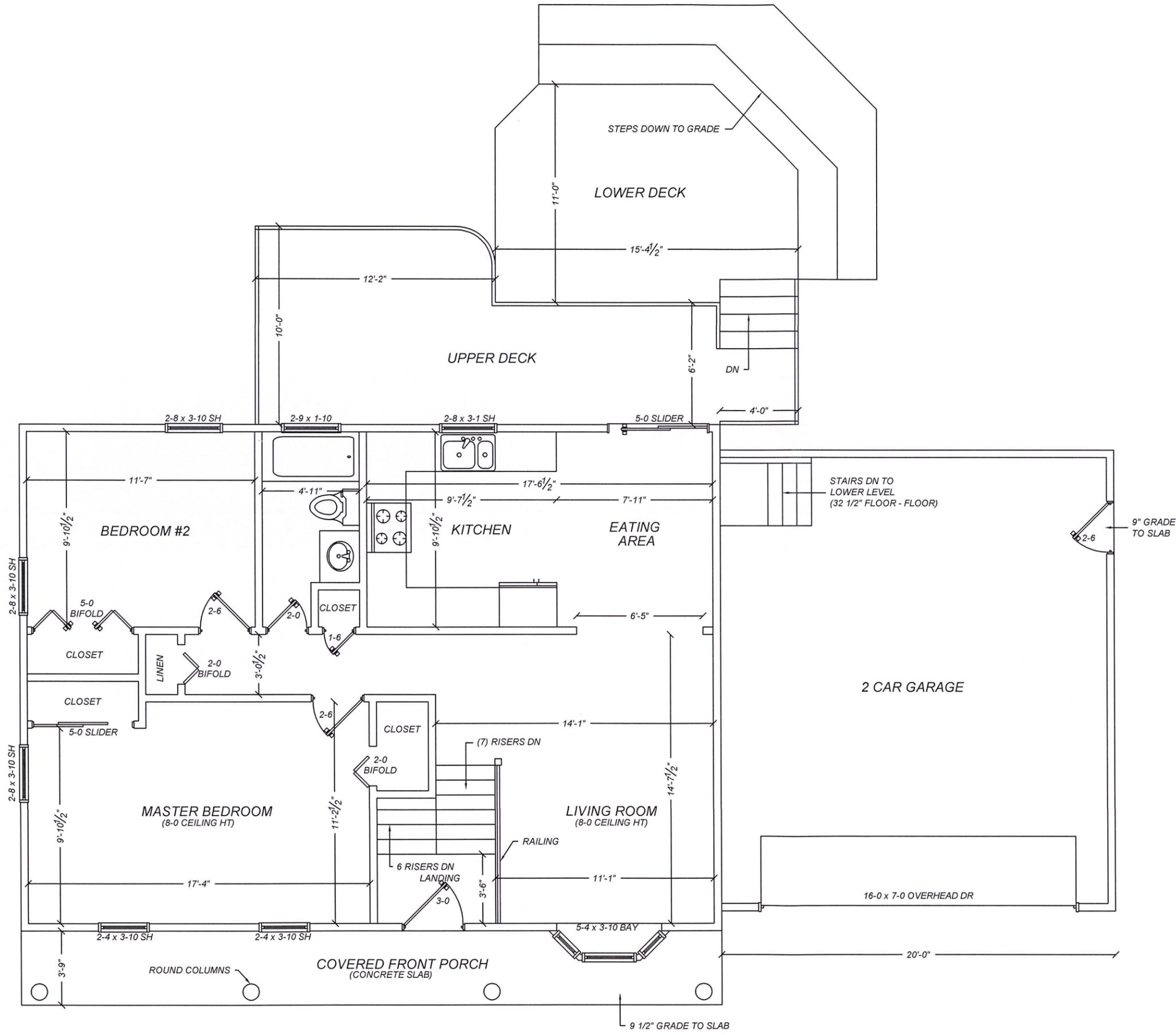
DELARM RESIDENCE ADDITION  
# 96 QUEVIC DR.  
SARATOGA SPRINGS, NY

# EXISTING MAIN FLOOR

JUNE 9, 2016 SCALE: 3/16" 1' 0"

DOCUMENTED BY:  
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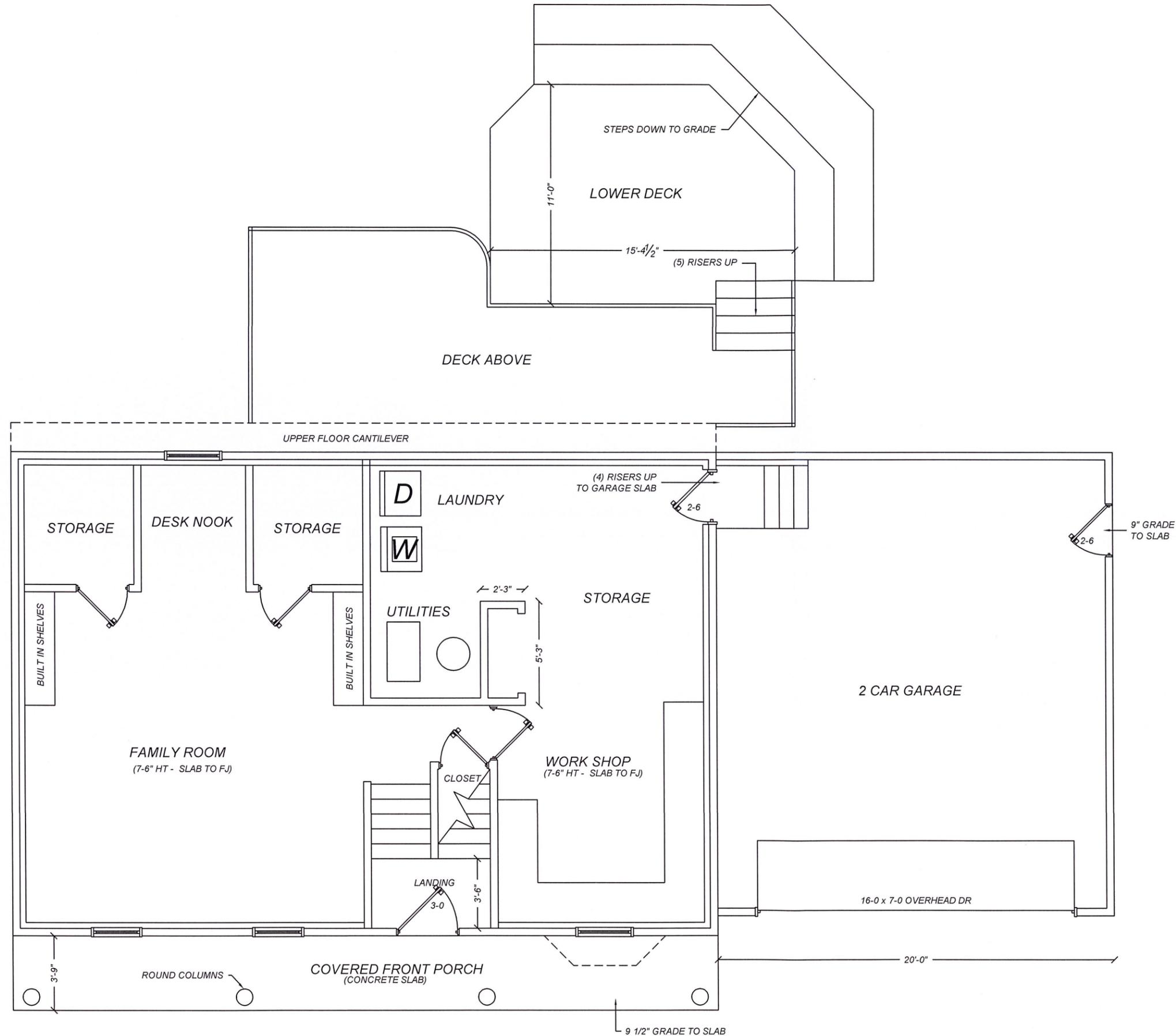
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Delarm Addition:  
#96 Quevic Dr. Saratoga Springs, NY



Left / North elevation of existing residence as viewed facing South West from rear yard of project site



Front / West elevation of existing residence as viewed facing East from Quevic Dr.



Rear / East elevation of existing residence as viewed facing West from rear yard of project site



Right / South elevation of existing garage as viewed facing North from side yard of project site

Delarm Addition:

#96 Quevic Dr. Saratoga Springs, NY



Existing side yard of project site and adjacent property to the South as viewed facing East from Quevic



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Delarm Addition:

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Existing pool and view of adjacent property to the North as viewed facing North from rear yard of project site



Left rear yard of project site as viewed facing North from rear yard



Shed / Tree house at right rear of project site as viewed facing South East from pool area of project site



View of right / South side of yard as viewed facing South from pool area at project site

ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: MARY BETH DELARM

TAX PARCEL NO.: 190.8-5-5

PROPERTY ADDRESS: 96 QUEVIC DR.

ZONING DISTRICT: URBAN RESIDENTIAL – I

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of an attached garage addition to an existing single-family residence and maintenance of a shed.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u>                      | <u>From</u> | <u>To</u> |
|--|-------------|-----------|
| Minimum front yard setback:                          | 30 feet     | 26.5 feet |
| Minimum side yard setback:                           | 12 feet     | 8.8 feet  |
| Minimum side yard setback: accessory building - shed | 5 feet      | 1.2 feet  |
| Maximum accessory building coverage:                 | 8%          | 12.1%     |

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

  
ZONING AND BUILDING INSPECTOR

  
DATE

Application Narrative  
Rite Aid Redevelopment  
Application for Signage Area Variances

National Retail Properties, Inc. (f/k/a Commercial Net Lease Realty, Inc.) (the “Applicant”) submits this Application for Area Variances executed by David J. Reif, Senior Vice President, Leasing & Construction, dated June 8, 2016. The Applicant is the title holder of 90 West Avenue and the purchaser under contract of the parcel located at 242 Washington Street, commonly known as KNC Touchfree Car Wash.

The Applicant previously filed a First Amendment to Application for Area Variances as more particularly set forth in its application of December 10, 2014, for which variances were granted by this Board on January 26, 2015.

This Application seeks relief from the Zoning Ordinance for the Applicant’s proposed signage package, submitted together with this Application. The signage for the site is in Rite Aid’s “New England” style, meaning its letters and returns are generally in the same style and color as the other Rite Aid stores throughout the east coast which share the New England design. Gooseneck lighting will illuminate each proposed sign – no back lighting or internal illumination is proposed, and no sign protrudes from the wall more than three inches.

The site is somewhat unique in the City because it is located at the corner of West Avenue and Washington Street, both very high capacity streets. The approval process for the expansion of the Rite Aid Pharmacy has been extensive. The approval processMost recently with the building’s footprint and exterior was approved by the Planning Board’s site plan approval and by architectural approval from the Design Review Commission. A key element of the DRC’s approval was the presence of an entrance at the intersection of West Avenue and Washington Street. That intersection is a gateway to the City and the entrance in that location will promote pedestrian activity, a goal of the Transect-5 district.

The signage package is designed to allow for Rite Aid brand recognition along West Avenue, Washington Street and at the entrance opposite the intersection. In addition, the proposed signage provides for the (i) designation of the pharmacy, (ii) the location of the drive-thru, (iii) the co-brand “GNC” signage accompanying the Rite Aid brand and (iv) temporary signage for operation of the pharmacy during construction of the new building.

**Area Variance**

1. **The benefit sought by the Applicant cannot be achieved by other feasible means.** The within application represents the third iteration of the signage package prepared by the project team in an effort to minimize the relief sought in this application while incorporating Rite Aid’s standard New England design style used for stores on the east

coast. In recognition of the provisions of Article 6 of the Zoning Code, the New England style signage package has been reduced.

The location of the store at the intersection of two major thoroughfares within the city drives, in part, the need for the signage proposed. The addition of the entrance opposite the intersection (incorporated into the design during discussions with DRC) places additional demands for identification of the facility. Thirdly, the orientation of the building to accommodate anticipated pedestrian traffic requires a modification of the standard Rite Aid package from the signage originally contemplated for the overwhelming majority of the store's traffic by vehicle.

Location of the signage protruding slightly above the first floor is necessitated by building elements approved by DRC. In this instance, DRC balanced the need for architectural features at this gateway against the desire to have wall signage entirely below the second floor. No other locations on the building are feasible for compliance in light of the approved architecture.

The drive-thru and directional signage on the south side are intended to direct customers to the approved circulation pattern within the site.

- 2. The granting of the relief will not create a detriment to nearby properties nor an undesirable change in neighborhood character for the following reasons.** There is a business at each of the four corners of the West Avenue and Washington Street intersection. This application is necessitated by the redevelopment of the site with a new, modern Rite Aid pharmacy. The facility will be a marked improvement over the existing building. The proposed signage will not be a detriment to nearby properties, but instead will be an improvement to neighborhood character. The proposed signage is meant to match the new building, which will be a more appropriate structure for its location at the gateway to the City. Across the streets are a Stewart's Shop and Mobile Station, both with fuel pumps facing the street, and D'Andrea's Liquor Store. Moreover, the car wash immediately adjacent to the current Rite Aid will be demolished, minimizing the number of neighboring buildings.

As the signage package demonstrates, except for the freestanding sign which utilizes LED illumination, no signs are internally illuminated. To minimize any impact of the signage to neighboring properties, all wall signs are illuminated with gooseneck lighting.

Furthermore, each sign's return measures between 3 and 5 inches, below the 6 inch limit set by the Ordinance.

- 3. The requested variances are not substantial.** While the number of variances sought is greater than many applications reviewed by the ZBA, the impact of the proposed variances is not substantial. Under the Ordinance, each street-facing façade is permitted one wall sign of 100 square feet. This application contains three such street-facing facades: The Westerly façade, facing West Avenue, has approximately 107.8 square feet of signage, the northerly façade, facing Washington Street, has only 49.4 square feet of

signage and the intersection façade has one sign of a mere 10.3 square feet. Although the West and Washington facades have more than one sign each, the signs are generally clustered together, and appear as a cohesive unit. Furthermore, although a few of the signs on these facades are higher than the 18 inches permitted by the Ordinance, they are proportionate to the size of the building. The building is a large, two-story structure and 18 inch lettering would look out of place.

The southerly façade, facing the parking lot, contains wall signs that are not permitted by the Ordinance because it is not a street-facing façade. However, these signs are in the interior of site and therefore will not detract from the intent of the Ordinance to protect public health, welfare and safety, and will not obstruct traffic or cause visual blight. In addition to the reasons for the southerly façade's signs stated in answer number one above, the remaining signs in this area are either directional, and therefore exempt from the Ordinance, or signal to motorists the location of the drive-thru, and are therefore necessary.

4. **The requested variance will have no adverse physical or environmental effects on the neighborhood or district.** As mentioned above, the project includes demolishing the existing car wash in favor of a single Rite Aid building, resulting in signage in the project area for a single business instead of two businesses, presenting a more cohesive look for the neighborhood. The proposed free-standing sign is located at the opposite end of the property from the intersection and will not adversely affect driver or pedestrian safety.
  
5. **The difficulty is self-created, but this is not fatal to the application.** The Applicant desires to redevelop the existing Rite Aid, which is out of date. The proposed large, modern Rite Aid is the result of business decisions dictated by the evolving pharmacy market, and it requires appropriate signage to match.



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

| APPLICANT(S)*   | OWNER(S) (if not applicant) | ATTORNEY/AGENT                               |
|---|-----------------------------|--|
| Name<br>National Retail Properties, Inc.                        |                             | Matthew J. Jones                             |
| Address<br>450 S. Orange Avenue, Suite 900<br>Orlando, FL 32801 |                             | 68 West Avenue<br>Saratoga Springs, NY 12866 |
| Phone<br>[REDACTED]   |                             | [REDACTED]                                   |
| Email   |                             |  |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's Interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 90 West Ave/ 242 Washington St Tax Parcel No.: 165.14-2 165.1  
-22 -4-2-1 -  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 9/20/2004 3. Zoning District when purchased: C-2

4. Present use of property: Rite Aid Pharmacy 5. Current Zoning District: T-5

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? 1992, 2014 For what? use approval/area variances)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: Sign Variances

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A. Submit the following financial evidence relating to this property (attach additional evidence as needed):**

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

6.0 Signage

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

Dimensional Requirements

please see attached Application Narrative

From

To

|       |       |       |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Please see attached Application Narrative

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Please see attached Application Narrative

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

National Retail Properties, Inc.

By: David J. Reif  
(applicant signature)

Date: 6-8-16

David J. Reif, its Senior Vice President,  
leasing + construction

Date: \_\_\_\_\_

(applicant signature)

If applicant is not the currently the owner of the property, the current owner must also sign.

National Retail Properties, Inc.

Owner Signature: By: David J. Reif

Date: 6-8-16

David J. Reif, its Senior Vice President,  
leasing + construction

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# RITE AID

## Application for Area Variances: Signage

The signage chart below references the site plan (page 5 of 19) and the elevations (page 6 of 19) attached to this application. For purposes of this application, we have deemed the diagonal facing the intersection to be part of the Washington Street frontage. As such, the Washington Street frontage has one channel letter sign and one shield. The sign numbers correlate to the locations on the site plan

| <u>Dimensional Requirements</u>               | <u>Code</u>   | <u>From</u>          | <u>To</u>           | <u>Sign Numbers</u> |
|---|---------------|----------------------|---------------------|---------------------|
| <u>Washington Street Façade</u>               |               |                      |                     |                     |
| 1. One wall sign per street frontage          | 6.1.5.1(A)(2) | 1                    | 2                   | 1, 2                |
| 2. No signs above 1 <sup>st</sup> floor level | 6.1.5.1(A)(2) | 1 <sup>st</sup> Fl.  | 2 <sup>nd</sup> Fl. | 1, 2                |
| 3. Maximum letter height                      | 6.1.6(B)(3)   | 18"                  | 30"                 | 1, 2                |
| <u>West Avenue Façade</u>                     |               |                      |                     |                     |
| 1. One wall sign per street frontage          | 6.1.5.1(A)(2) | 1                    | 7                   | 1, 2, 3, 4, 5, 8, 9 |
| 2. Maximum signage area                       | 6.1.5.1(C)    | 100 SF               | 139 SF              |                     |
| 3. No signs above 1 <sup>st</sup> floor level | 6.1.5.1(B)(2) | 1 <sup>st</sup> Fl.  | 2 <sup>nd</sup> Fl. | 1, 3                |
| 4. Maximum letter height                      | 6.1.6(B)(3)   | 18"                  | 30"                 | 1, 2, 3, 5, 9       |
| <u>Parking Lot Façade</u>                     |               |                      |                     |                     |
| 1. One wall sign per street frontage          | 6.1.5.1(A)    | 0                    | 7                   | 1, 3, 4, 5, 8-13    |
| 2. Maximum signage area                       | 6.1.5.1(C)    | 0 SF                 | 145 SF              |                     |
| 3. No signs above 1 <sup>st</sup> floor level | 6.1.5.1(A)(2) | 1 <sup>st</sup> Fl.  | 2 <sup>nd</sup> Fl. | 1, 3, 10-13         |
| 4. Maximum letter height                      | 6.1.6(B)(3)   | 18"                  | 30"                 |                     |
| <u>Free-Standing Pylon Sign</u>               |               |                      |                     |                     |
| 1. Maximum signage area                       | 6.1.5.1(C)    | 12 SF                | 45 SF               | 6                   |
| <u>Temporary Banner</u>                       |               |                      |                     |                     |
| 1. Temporary banner during construction       | Not permitted | 0                    | 32 SF               | 7                   |
| <u>Free Standing Directional</u>              |               |                      |                     |                     |
| 1. Free standing drive-thru pharmacy          | Not permitted | 0                    | 2                   | 16, 17              |
| <u>Exit Only Signs</u>                        |               |                      |                     |                     |
| 1. Two Exit Only signs                        | 6.1.4(B)(7)   | Permitted under 4 SF |                     | 14, 15              |



# RITE AID

## PERMIT DRAWINGS

RITE AID #581  
90 WEST AVE.  
SARATOGA SPRINGS, NY 12866



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: [www.signresource.com](http://www.signresource.com)

| Sign Code Allows:                     |                 | Site: |   |          |
|---------------------------------------|-----------------|-------|---|----------|
| Sign#                                 | Sign Type:      | Qty:  | Description:  | Comments |
| 1                                     | Channel letters | 3     | 30" Channel letters   |          |
| 2                                     | Shield          | 2     | Rite Aid shield cabinet   |          |
| 3                                     | Pharmacy        | 2     | 20" Pharmacy letters  |          |
| 4                                     | GNC Live Well   | 2     | 24" box cabinet   |          |
| 5                                     | Drive Thru      | 2     | 24" box cabinet   |          |
| 6                                     | Pylon           | 1     | 12' -0" Pylon   |          |
| 7                                     | Banner          | 2     | Temporary Coming Soon banner  |          |
| 8                                     | Channel letters | 2     | Drive Thru Pharmacy with arrow on raceway                           |          |
| 9                                     | Aluminum Panel  | 2     | Department Within   |          |
| 10                                    | Channel letters | 1     | Drive Thru Pharmacy   |          |
| 11                                    | Aluminum Panel  | 1     | Clearance 10' -0"   |          |
| 12                                    | Aluminum Panel  | 1     | Pick Up   |          |
| 13                                    | Aluminum Panel  | 1     | Drop Off  |          |
| 14                                    | Aluminum Panel  | 1     | Exit Only   |          |
| 15                                    | Aluminum Panel  | 1     | Exit Only traffic   |          |
| 16                                    | Directional     | 1     | Drive Thru Pharmacy with arrow - both sides                         |          |
| 17                                    | Directional     | 1     | Drive Thru Pharmacy with arrow - Thank You For Shopping at Rite Aid |          |
| <b>Variance Summary / Likelihood:</b> |                 |       |   |          |



**STANDARD CODE REVIEW** Estimate/Job#: **98147**  
Store #: **581**

A.) Project Name: **Rite Aid** Completed By and Date: **8-27-13 / SP**  
 Street Address: **90 West Ave**  
 Town / City / State / Zip: **Saratoga Springs NY 12866**  
 B.) Zoning Office / contact for zoning information:  City  Town  Township  Village  County  State  
 Jurisdiction: **City of Saratoga Springs**  
 Contact: **Deborah Wertheim 518-587-3550 x 2533 / Susan Barden, Senior Planner x 2493**  
 C.) Zoning Classification for property: **T-5 Transect Zone 5 Neighborhood Center**  
 D.) Will code be changing anytime soon? **No**  
 Notes:

**WALL SIGNS**

1.) Square footage of wall signage allowed: **Not to exceed 2 sq. ft. for each linear foot of building frontage or a total of 100 sq. ft., whichever is less.**  
 2.) How many elevations are wall signs allowed on? **One (1) wall sign per street frontage**  
 3.) If signs are allowed on rear or sides of building, is the square footage deducted from the front elevation? **No**  
 4.) How is square footage to be calculated? **Entire area within a continuous perimeter enclosing the extreme limits of sign display, including any frame or border. The sign structure shall be included if designed as integral to the sign display. The calculation for a double-faced sign shall be the area of one face only.**  
 5.) Are design elements or logos a part of the square footage calculation? **Yes**  
 6.) May signs be internally illuminated? **All backlit signs shall have a dark background. Only the letters and/or message area of the sign shall be illuminated.**  
 7.) Any restrictions to the location of the sign on the wall other than being located on the wall, below eaves, or on the parapet? **Wall signs shall not extend beyond the ends, or over the top, of the walls to which it is attached. Wall signs shall not extend above the first floor level of the building**  
 8.) Maximum projection for wall signs: **Electric wall signs may extend a total of 14 inches from the face of the building to accommodate a code-required transformer box but that box shall not extend more than 8 inches from the building.**  
 Notes:

**POLE/PYLON SIGNS**

1.) Square footage of pole/pylon signage allowed per sign face for a double-faced sign: **24 Sq. Ft.**  
 2.) Quantity: **One (1)**  
 3.) Maximum height for pole/pylon: **12 feet**  
 4.) Minimum clearance below pole/pylon? **Signs that extend over a pedestrian walkway or driveway must have a minimum 10 foot vertical clearance from the ground.**  
 5.) Are design elements or logos a part of the square footage calculation? **Yes**  
 6.) May signs be internally illuminated? **Yes. All backlit signs shall have a dark background. Only the letters and/or message area of the sign shall be illuminated.**  
 7.) Landscaping requirements:  
 8.) Address number to be included?  
 9.) Set-back from right-of-way or property line/vision triangle: **No sign shall be placed within 150 feet of a signalized, or within 50 feet of an unsignalized, street intersection so as to cause a traffic hazard at the intersection. A freestanding sign shall not be located within 50 feet of another freestanding sign. A freestanding sign shall not extend into the public right-of-way or extend beyond the property lines.**  
 Notes:

**STANDARD CODE REVIEW - Continued** Estimate/Job#: **581** **98147**

A.) Project Name: **Rite Aid** Completed: **8-27-13 / SP**

**ENGINEERING**

1.) Are signed/sealed Engineering drawings required: For wall signs? **No** For Freestanding signs? **Yes**  
 2.) Calculations and drawings both required? **Both**  
 3.) How many sets required? **Two (2)**  
 4.) Building Code/Year: **2010 New York State Building Code**  
 5.) Electrical Code/Year: **NFPA 70**  
 6.) Wind loads/Exposure: **90 MPH w/ 3 sec gusts**  
 7.) Special inspections noted on drawings from engineer: **Per Engineer**  
 Notes:

**VARIANCES**

1.) Are variances considered? \_\_\_\_\_ Yes  No   
 2.) Variance fees and costs? **\$500.00 + fees for advertising**  
 3.) Application deadline? **Must be submitted to the Building Inspector, Room 10, City Hall, at least 4 weeks prior to the next Zoning Board meeting. See attached schedule for application deadlines and meeting dates.**  
 4.) Process, how often are the meetings, and the number of meetings? **Zoning Board of Appeals meets twice a month**  
 5.) Forms and contact information: **Application for Appeal to Zoning Board / Contact Susan Barden Senior Planner (ZBA) (518) 587-3550 x2493**  
 Notes: **Applicant must be the property owner(s) or lessee. Applicants are required to mail a copy of the public hearing legal notice to all property owners**

**DIRECTIONAL SIGNS**

1.) Number of directional's allowed: **Not specified** 2.) Maximum square footage: **4 sq. ft.**  
 3.) Maximum height: **4 feet** 4.) Set-back:  
 5.) Illumination allowed? **Yes** 6.) Custom logo: **Business names or logos not permitted**  
 7.) Permit required? **No**  
 Notes:

**ELECTRONIC MESSAGE CENTERS/ READER BOARDS**

1.) EMC's allowed: **Not allowed** 2.) Maximum square  
 3.) Color restrictions? 4.) Movement restrictions?  
 Notes:

**AWNINGS AND TEMPORARY SIGNAGE**

3.) Temporary Signs: **One on-premise, non-illuminated sign listing the owner, designer and/or contractor where construction or renovation is in progress: maximum 10 sq. ft.**  
 Notes:



**STANDARD CODE REVIEW - Continued Estimate/Job#: 98147**

A.) Project Name: Rite Aid Completed: 8-27-13 / SP

**PERMITTING**

1.) Process:  
 What needs to be done first? **Must apply for variance first if needed. Once variance is approved/denied will then have to apply for review with the Design Review Commission since site is located in an Architectural Review Area within the City.**  
**For Design Review Commission: Submit completed applications to the Office of Planning & Economic Development, Room 10, City Hall, at least 4 weeks prior to the next DRC meeting. Meetings are held 1st & 3rd Wednesdays of the month. Fee is \$100.00. Rep to be present at this meeting.**  
**Signage / Awnings**  
**Color photographs showing site/exterior details of existing structures, and adjacent properties**  
 Plan showing location of proposed sign/awning structure on building/premises: no larger than 11"x17"  
**Scaled illustration of proposed sign/awning structure and lettering (front view & profile): include all dimensions of structure; type, dimensions and style of lettering or logo; description of colors, materials, mounting method and hardware**  
**Descriptions, specifications of proposed lighting including fixture & lamp type, wattage, mounting method, and location**  
**Product literature, specifications and samples of proposed materials and colors**

Can the sign permit be issued before the building permit? **No**  
 Other jurisdiction? **No**

2.) Permit application and checklist:  
 Planning: **Design Review Commission Application**  
 Building: **Application for Sign Permit**  
 Number of Sets of Drawings Req'd: **1 original and 9 collated sets for DRC meeting / Two (2) for building**  
 Permit application can be mailed? **Yes**

3.) Permitting Process time frame:  
 Planning: **Goes thru Design Review Commission for approval. If needed, apply for Variance first thru ZBA then goes to DRC**  
 Building:  
 Counter Service Available? **No**

4.) Permit application fees:  
 Planning: **\$100.00 for Design Review Commission**  
 Building: **Sign permit fee of \$100.00 (check made payable to Commissioner of Finance), must accompany application.**

5.) Length of time the permit will be valid: **6 months**

**SIGN MARKINGS**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Electrical Hook-up included with Sign Permit               | <input checked="" type="checkbox"/> Property Owner Information              | <input checked="" type="checkbox"/> UL label visible after installation   |
| <input checked="" type="checkbox"/> Electrical Permit Req'd by Licensed Electrician | <input checked="" type="checkbox"/> Property Owner Signature on Application | <input checked="" type="checkbox"/> Disconnect visible after installation |
| <input type="checkbox"/> Building/Structural Permit Req'd                           | <input checked="" type="checkbox"/> Subcontractor Information               | <input type="checkbox"/> Permit number and/or tag                         |
| <input checked="" type="checkbox"/> Sealed Engineering Req'd                        | <input checked="" type="checkbox"/> Subcontractor Signature on Application  | <input type="checkbox"/> Sign owner information                           |
| <input checked="" type="checkbox"/> Owner/Agent Letter of Authorization             | <input type="checkbox"/> List of UL numbers                                 | <input type="checkbox"/> Sign manufacturer information                    |

5.) Is a permit required to reface or change faces in an existing sign with no changes to the support structure, electrical, or cabinet?  
 Notes:

**INSTALLATION**

1.) Inspections Required? **Footing / Final / Electrical**  
 Is the original permit required to be on site for inspections? **Yes**  
 Any Special/Third Party Inspections Required? **No**  
 Contact and advance notice requirements: **(518) 587-3550 Building Department**

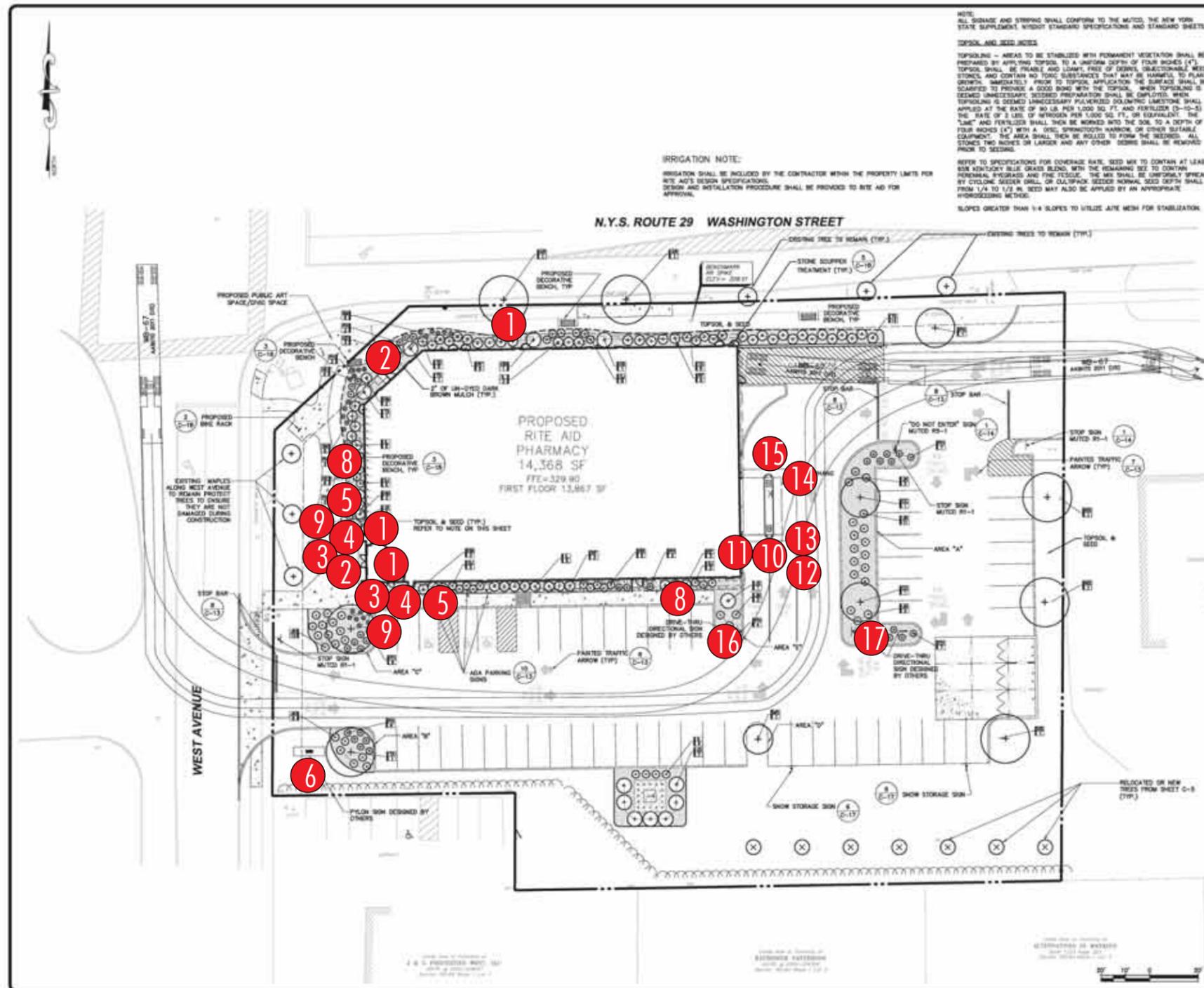
2.) Commercial Sign Installer Requirements:

|   |   |  |
|---|---|--|
| <input type="checkbox"/> <b>State License</b>                                     | <input type="checkbox"/> <b>Bonding</b>                           | <input checked="" type="checkbox"/> <b>Sub Required to Pull Permit</b> |
| <input checked="" type="checkbox"/> <b>Local License or Registration</b>          | <input checked="" type="checkbox"/> <b>Insurance</b>              | <input checked="" type="checkbox"/> <b>Sub Required for Install</b>    |
| <input checked="" type="checkbox"/> <b>Licensed Electrician Req'd for hook-up</b> | <input checked="" type="checkbox"/> <b>Workman's Compensation</b> | <input type="checkbox"/> <b>Jones Sign Can Pull Permit</b>             |
| <input type="checkbox"/> <b>Out-of-State Contractor Allowed</b>                   |   | <input type="checkbox"/> <b>Jones Sign Can Install</b>                 |

Notes: **City license required with Insurance**

**RECOMMENDATION**





**NOTE:**  
ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE MUTCD, THE NEW YORK STATE SUPPLEMENT, MICHOT STANDARD SPECIFICATIONS AND STANDARD SHEETS.

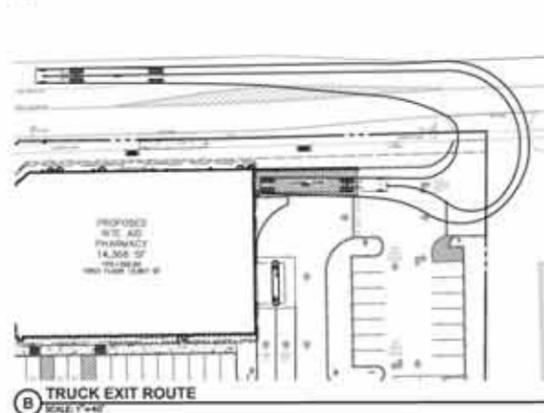
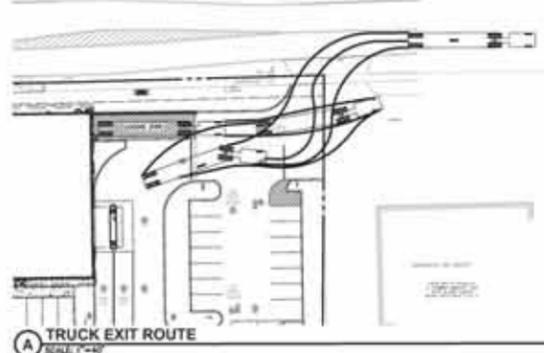
**TOPSOIL AND SEED NOTES:**  
TOPSOILING - AREAS TO BE STABILIZED WITH PERMANENT VEGETATION SHALL BE PREPARED BY APPLYING TOPSOIL TO A UNIFORM DEPTH OF FOUR INCHES (4"). TOPSOIL SHALL BE PLAIN AND LOAMY, FREE OF DEBRIS, UNDESIRABLE WEEDS, STONES, AND CONTAIN NO TOXIC SUBSTANCES THAT MAY BE HARMFUL TO PLANT GROWTH. IMMEDIATELY PRIOR TO TOPSOIL APPLICATION THE SURFACE SHALL BE SCARIFIED TO PROVIDE A GOOD BOND WITH THE TOPSOIL. WHEN TOPSOILING IS SEEMED UNNECESSARY, SEEDING PREPARATION SHALL BE EMPLOYED. WHEN TOPSOILING IS DEEMED UNNECESSARY, POLYMERIZED SOLOMATIC LIMEZONE SHALL BE APPLIED AT THE RATE OF 80 LB. PER 1,000 SQ. FT. AND FERTILIZER (3-10-5) AT THE RATE OF 2 LB. OF NITROGEN PER 1,000 SQ. FT. OR EQUIVALENT. THE "LIME" AND FERTILIZER SHALL THEN BE WORKED INTO THE SOIL TO A DEPTH OF FOUR INCHES (4") WITH A DISC SPRINGTOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE AREA SHALL THEN BE ROLLED TO FIRM THE SEEDS. ALL STONES TWO INCHES OR LARGER AND ANY OTHER DEBRIS SHALL BE REMOVED PRIOR TO SEEDING.

**IRRIGATION NOTE:**  
IRRIGATION SHALL BE INCLUDED BY THE CONTRACTOR WITHIN THE PROPERTY LIMITS FOR RITE AID'S DESIGN SPECIFICATIONS. DESIGN AND INSTALLATION PROCEDURE SHALL BE PROVIDED TO RITE AID FOR APPROVAL.

REFER TO SPECIFICATIONS FOR COVERAGE RATE. SEED MIX TO CONTAIN AT LEAST 80% KENTUCKY BLUE GRASS BLEND, WITH THE REMAINING SEE TO CONTAIN PERENNIAL HYDRANGEA AND FINE FESCUE. THE MIX SHALL BE UNIFORMLY SPREAD BY CYCLOPE SEEDER OR EQUIVALENT. SEED DEPTH SHALL BE FROM 1/4 TO 1/2 IN. SEED MAY ALSO BE APPLIED BY AN APPROPRIATE HYDROSEEDING METHOD.

SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |                  |
|----------------------|-----|-----------------------------------|--------------------------|------------------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE / SPACING   |
| TREES                |     |                                   |                          |                  |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL.          |
| CC                   | 2   | CERIS SARRACENSIS                 | EASTERN REDBUD           | 2" CAL.          |
| WR                   | 1   | WALNUS 'ADIRONDACK'               | FLORING GRAMMABLE        | 2" CAL.          |
| WB                   | 3   | WYTA ELIATICA                     | BLACK BIRCH              | 2" CAL. 30' O.C. |
| FR                   | 1   | FRAXINUS BLANCA                   | WHITE SPRUCE             | 8-10'            |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7'             |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL.          |
| SHRUBS               |     |                                   |                          |                  |
| DR                   | 2   | DRACOPYRUS PTERIS 'BOLEZANO'      | JAPANESE FALSECYPRESS    | 4'-5' 8' O.C.    |
| HM                   | 2   | HYDRANGEA PANGOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" 4' O.C.  |
| IL                   | 17  | ILEX GLABRA 'COMPACTA'            | COMPACT HOLEBERRY        | 24"-30" 4' O.C.  |
| JA                   | 28  | JUNIPERUS PROCUMBENS 'NANA'       | SWAMP GARDEN JAMPER      | 3 GAL. 8' O.C.   |
| JS                   | 2   | JUNIPERUS SCOPULORUM 'MOON BLUE'  | MOON BLUE JUNIPER        | 3'-4' 8' O.C.    |
| RF                   | 16  | RHOXODENDRON 'YOUNGSHAW'S WHITE'  | 'RHODOCENDRON            | 18"-24" 4' O.C.  |
| WR                   | 2   | ROSA 'RADRAZ'                     | DOUBLE KNOCKOUT ROSE     | 3 GAL. 8' O.C.   |
| SP                   | 16  | SPREA 'LITTLE PRINCESS'           | LITTLE PRINCESS SPREA    | 3 GAL. 8' O.C.   |
| TS                   | 16  | 'TARUS X MEDIA 'YONOPRINT'        | DOCKIE SPREADING YEW     | 3 GAL. 4' O.C.   |
| TS                   | 2   | TRIALIA OOOOONALIS 'EMERALD'      | EMERALD GREEN ARBORVITAE | 5'-6' 8' O.C.    |
| PERENNIALS & GRASSES |     |                                   |                          |                  |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAILLY                   | 1 GAL. 8' O.C.   |
| PH                   | 40  | PERNETIUM 'SARIEL'                | SWAMP FOUNTAIN GRASS     | 2 GAL. 30" O.C.  |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL. 8' O.C.   |



PD # 14.057

APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION

ADOPTED \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| NO.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 2/3/16   | REVISION TO ARCHITECTURE LAYOUT AND GRADING           | AWL | JWE         | 2/3/16   |
| 3                     | 2/23/16  | REVISIONS   | AWL | JWE         | 2/23/16  |

THE ALTERATION OF THIS MATERIAL SHALL BE UNLESS DONE UNDER THE DIRECTION OF A QUALIFIED PROFESSIONAL ENGINEER OR ARCHITECT FOR AN ARCHITECT OR FOR AN ENGINEER OR LANDSCAPE ARCHITECT. A LANDSCAPE ARCHITECT IS A VIOLATION OF STATE EDUCATION LAW AND/OR REGULATION AND IS A CLASS 'B' MISDEMEANOR.

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: RA-581-16  
DATE: 06/13/16  
**C-10**



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com



# NON-ILLUMINATED

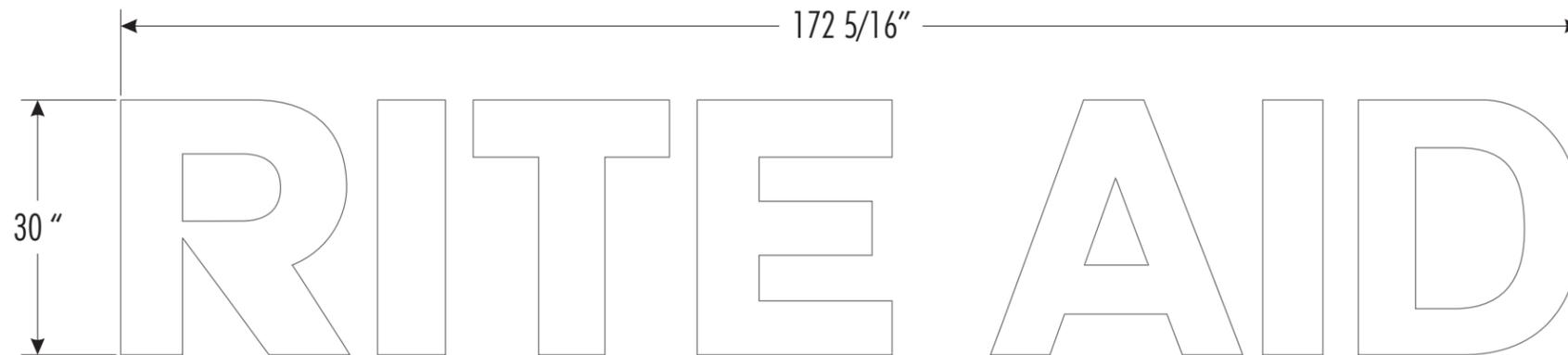
REQUIRED INFO: METHOD OF SERVICE IS REMOVAL OF FACE

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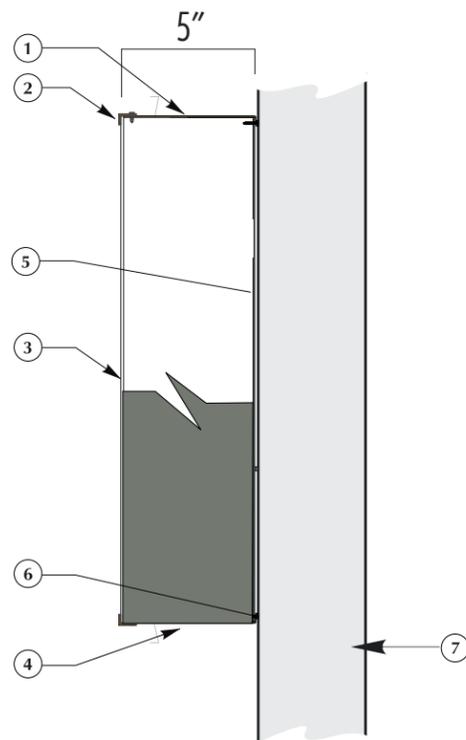
**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

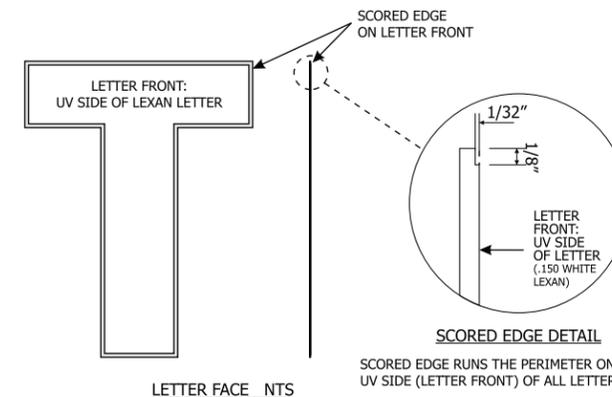
REVISION DESCRIPTION: INITIAL DRAWING



**FRONT VIEW**



- ① 5" X .040 aluminum letter coil painted pms 424 letter locked to aluminum letter backs
- ② 3/8" x 1 1/4" F- Trim painted pms 424
- ③ .150 White polycarbonate faces (Groove face side of lexan faces to ensure face side is facing out)
- ④ (2) 1/4" Weep holes w/ internal light baffle
- ⑤ .063 pre-finished Black/White aluminum backs
- ⑥ Anchors as required. (See hardware chart.)
- ⑦ Building facade.



**Detail of Channel Letters**

N.T.S. **SIDE VIEW**

**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | WHITE                  |
| B    | PAINT TO MATCH PMS 424 |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |                     |
|---------------|---------------------|
| 1             | 5" ALUMINUM RETURNS |
| 2             | .150 WHITE PLASTIC  |
| 3             |                     |
| 4             |                     |
| 5             |                     |

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|                |   |          |              |
|----------------|---|----------|--------------|
| DESCRIPTION    | RITEAID<br>30" X 172 5/16" SF NL<br>CHANNEL LETTERS |          |              |
| VOLTAGE:       | CIRCUIT:  | CURRENT: | DESIGN LOAD: |
| DRAWN BY:      | BRIAN S.  |          |              |
| CHECKED BY:    |   |          |              |
| CLIENT:        | RITEAID   |          |              |
| LOCATION:      |   |          |              |
| QUOTE:         | DATE:   |          |              |
| DRAWING/PART # | REV.  | SHEET #  |              |
| RAV0029        | A   | 7 OF 19  |              |

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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# NON-ILLUMINATED

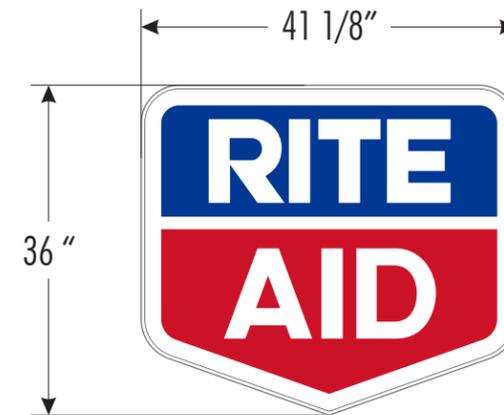
REQUIRED INFO: METHOD OF SERVICE IS REMOVAL OF FACE

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Website: www.signresource.com

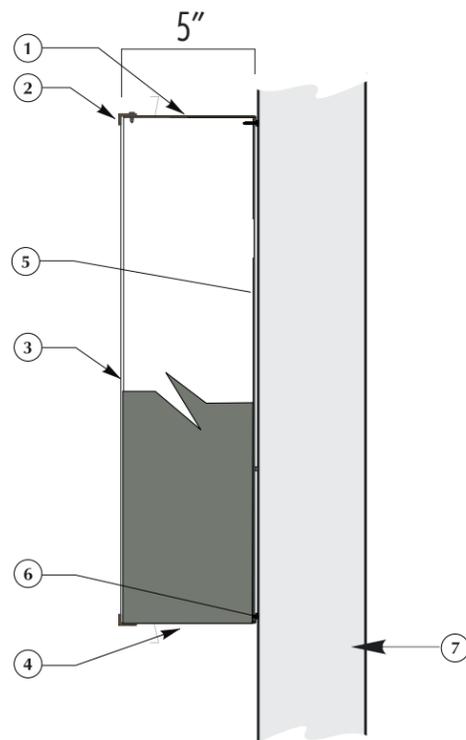
**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

REVISION DESCRIPTION: INITIAL DRAWING



**FRONT VIEW**

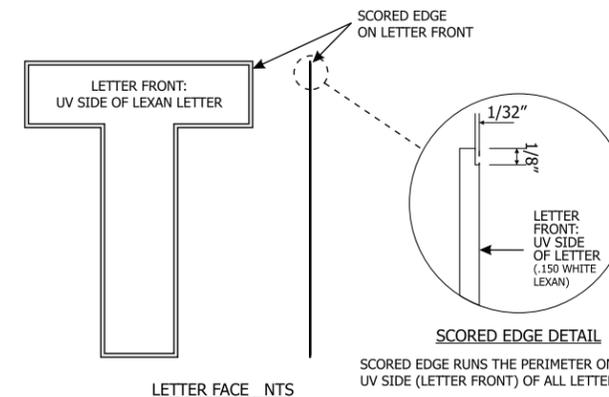


- ① 5" X .040 aluminum letter coil painted pms 424 letter locked to aluminum letter backs
- ② 3/8" x 1 1/4" F- Trim painted pms 424
- ③ .150 White polycarbonate faces (Groove face side of lexan faces to ensure face side is facing out)
- ④ (2) 1/4" Weep holes w/ internal light baffle
- ⑤ .063 pre-finished Black/White aluminum backs
- ⑥ Anchors as required. (See hardware chart.)
- ⑦ Building facade.

**Detail of Channel Letters**

N.T.S. **SIDE VIEW**

2



**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | ARLON 2500-2870 BLUE   |
| B    | ARLON 2500-2283 RED    |
| C    | WHITE                  |
| D    | PAINT TO MATCH PMS 424 |
| E    |                        |
| F    |                        |

| MATERIAL LIST |                     |
|---------------|---------------------|
| 1             | 5" ALUMINUM RETURNS |
| 2             | .150 WHITE PLASTIC  |
| 3             |                     |
| 4             |                     |
| 5             |                     |

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

- TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|                |  |          |              |
|----------------|--|----------|--------------|
| DESCRIPTION    | RITEAID<br>36" X 48 1/8" SF NL<br>CHANNEL LETTER |          |              |
| VOLTAGE:       | CIRCUIT:   | CURRENT: | DESIGN LOAD: |
| DRAWN BY:      | BRIAN S.   |          |              |
| CHECKED BY:    |  |          |              |
| CLIENT:        | RITEAID  |          |              |
| LOCATION:      |  |          |              |
| QUOTE:         | DATE:  |          |              |
| DRAWING/PART # | REV.   | SHEET #  |              |
| RAV0030        | A  | 8 OF 19  |              |

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
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Website: www.signresource.com

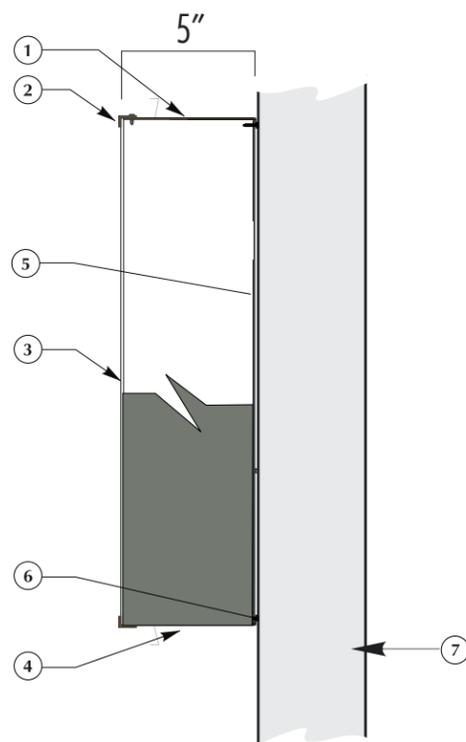
**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

REVISION DESCRIPTION: INITIAL DRAWING



FRONT VIEW

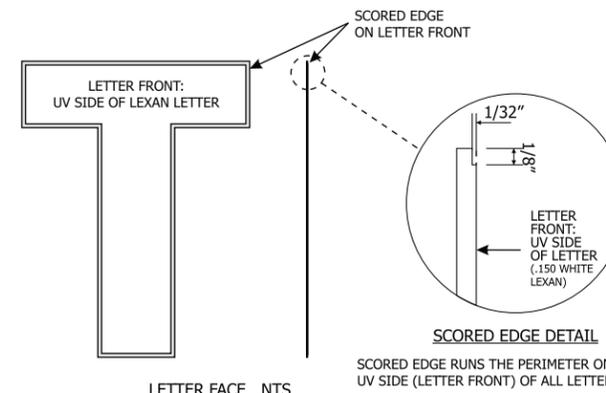
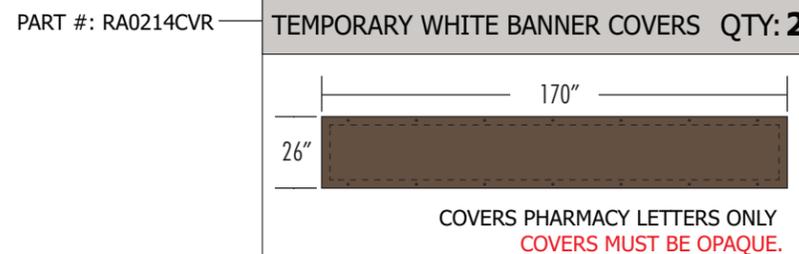


- ① 5" X .040 aluminum letter coil painted pms 424 letter locked to aluminum letter backs
- ② 3/8" x 1 1/4" F- Trim painted pms 424
- ③ .150 White polycarbonate faces (Groove face side of lexan faces to ensure face side is facing out)
- ④ (2) 1/4" Weep holes w/ internal light baffle
- ⑤ .063 pre-finished Black/White aluminum backs
- ⑥ Anchors as required. (See hardware chart.)
- ⑦ Building facade.

**Detail of Channel Letters**

N.T.S.

SIDE VIEW



**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | WHITE                  |
| B    | PAINT TO MATCH PMS 424 |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |                     |
|---------------|---------------------|
| 1             | 5" ALUMINUM RETURNS |
| 2             | .150 WHITE PLASTIC  |
| 3             |                     |
| 4             |                     |
| 5             |                     |

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|  |           |                    |              |
|--|-----------|--------------------|--------------|
| DESCRIPTION  |           |                    |              |
| RITEAID<br>20" X 161 11/16"<br>SF NL CHANNEL LETTERS |           |                    |              |
| VOLTAGE:   | CIRCUIT:  | CURRENT:           | DESIGN LOAD: |
| DRAWN BY: BRIAN S.                                   |           | CHECKED BY:        |              |
| CLIENT: RITEAID                                      |           | LOCATION:          |              |
| QUOTE:   |           | DATE:              |              |
| DRAWING/PART #<br>RAV0031                            | REV.<br>A | SHEET #<br>9 OF 19 |              |

SCALE 1:17  
22.46 SF

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
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Website: www.signresource.com

**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING

**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | SCOTTISH OAKWOOD GRAIN |
| B    | WHITE                  |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |                                  |
|---------------|----------------------------------|
| 1             | .125 ALUMINUM TUBE FRAME (1"x1") |
| 2             | .150 WHITE PLASTIC               |
| 3             | ROUTED ACM BY RENOBOND           |
| 4             | LED ILLUMINATION                 |
| 5             |                                  |

**FIRST SURFACE DECORATION**

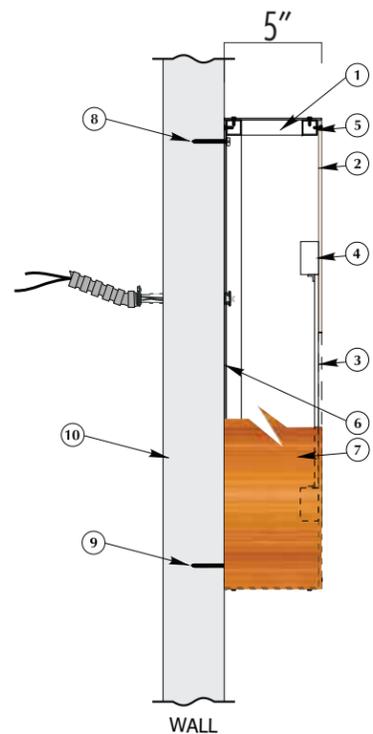
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**GENERAL NOTES**

- TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|   |           |                     |              |
|---|-----------|---------------------|--------------|
| DESCRIPTION   |           |                     |              |
| RITEAID<br>2' X 11' NL SF<br>ANCILLARY SIGN CABINET |           |                     |              |
| VOLTAGE:  | CIRCUIT:  | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.                               |           | CHECKED BY:         |              |
| CLIENT:<br>RITEAID                                  |           |                     |              |
| LOCATION:   |           |                     |              |
| QUOTE:  |           | DATE:               |              |
| DRAWING/PART #<br>RAZ0011                           | REV.<br>A | SHEET #<br>10 OF 19 |              |

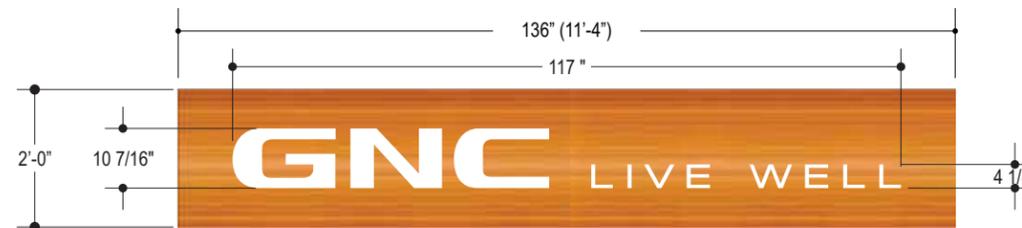
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**Detail of Sign Cabinet**

N.T.S.

- 1"x1"x.125 Aluminum tube frame
- Hinged Face: Routed ACM by Reynobond - Scottish Oakwood Grain
- .150 White polycarbonate backer
- 1"x2" Alum Tube w/ 3/4" x 3/4" Alum angle
- Pop rivet attachment
- .080 aluminum backs
- Sides: ACM by Reynobond - Scottish Oakwood Grain
- Masonry fasteners used in top section of cabinets
- Lagbolts used in bottom section of cabinets
- Building facade.



**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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**REVISION HISTORY:**

| REV                  | DATE     | REQUESTED BY | UPDATED BY |
|----------------------|----------|--------------|------------|
| A                    | 05/16/16 | TL           | BS         |
| REVISION DESCRIPTION |          |              |            |
| INITIAL DRAWING      |          |              |            |

**PARTS LIST:**

| ITEM          | DECORATION                       |
|---------------|----------------------------------|
| A             | SCOTTISH OAKWOOD GRAIN           |
| B             | WHITE                            |
| C             |                                  |
| D             |                                  |
| E             |                                  |
| F             |                                  |
| MATERIAL LIST |                                  |
| 1             | .125 ALUMINUM TUBE FRAME (1"x1") |
| 2             | .150 WHITE POLYCARBONATE         |
| 3             | ROUTED ACM BY RENOBOND           |
| 4             | LED ILLUMINATION                 |
| 5             |                                  |

FIRST SURFACE DECORATION

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

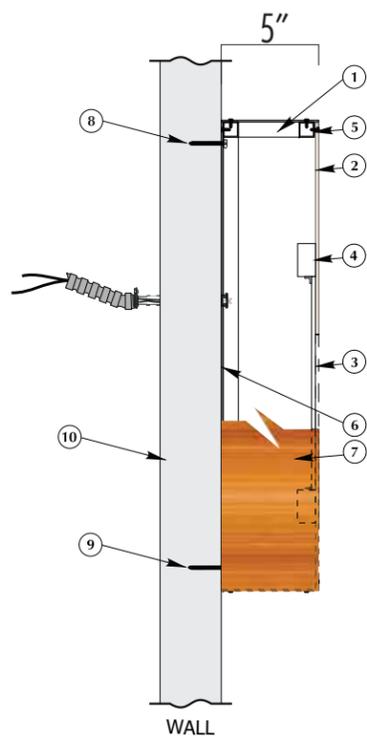
**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|   |           |                     |              |
|---|-----------|---------------------|--------------|
| DESCRIPTION   |           |                     |              |
| RITEAID<br>2' X 11' NL SF<br>ANCILLARY SIGN CABINET |           |                     |              |
| VOLTAGE:  | CIRCUIT:  | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.                               |           | CHECKED BY:         |              |
| CLIENT:<br>RITEAID                                  |           | LOCATION:           |              |
| QUOTE:  |           | DATE:               |              |
| DRAWING/PART #<br>RAZ0012                           | REV.<br>A | SHEET #<br>11 OF 19 |              |



FRONT VIEW



- 1"x1"x.125 Aluminum tube frame
- Hinged Face: Routed ACM by Reynobond - Scottish Oakwood Grain
- .150 White polycarbonate backer
- 1"x2" Alum Tube w/ 3/4" x 3/4" Alum angle
- Pop rivet attachment
- .080 aluminum backs
- Sides: ACM by Reynobond - Scottish Oakwood Grain
- Masonry fasteners used in top section of cabinets
- Lagbolts used in bottom section of cabinets
- Building facade.

**Detail of Sign Cabinet**

N.T.S.

5

SCALE 1:32  
22.67 SF

**APPROVAL SIGNATURE**

**DATE**

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

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# PYLON IS TO BE SHIPPED OUT AS 1 PIECE

METHOD OF SERVICE IS TBD BY ENGINEERING

# LED ILLUMINATION



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Website: www.signresource.com

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 12/10/15 | TL           | BS         |

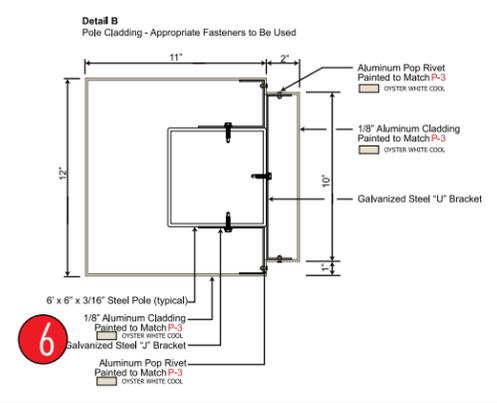
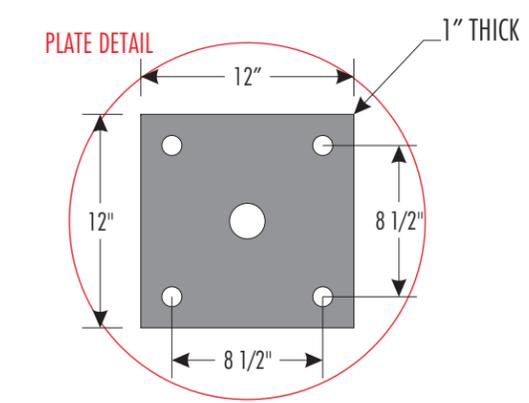
REVISION DESCRIPTION: INITIAL DRAWING

### PARTS LIST:

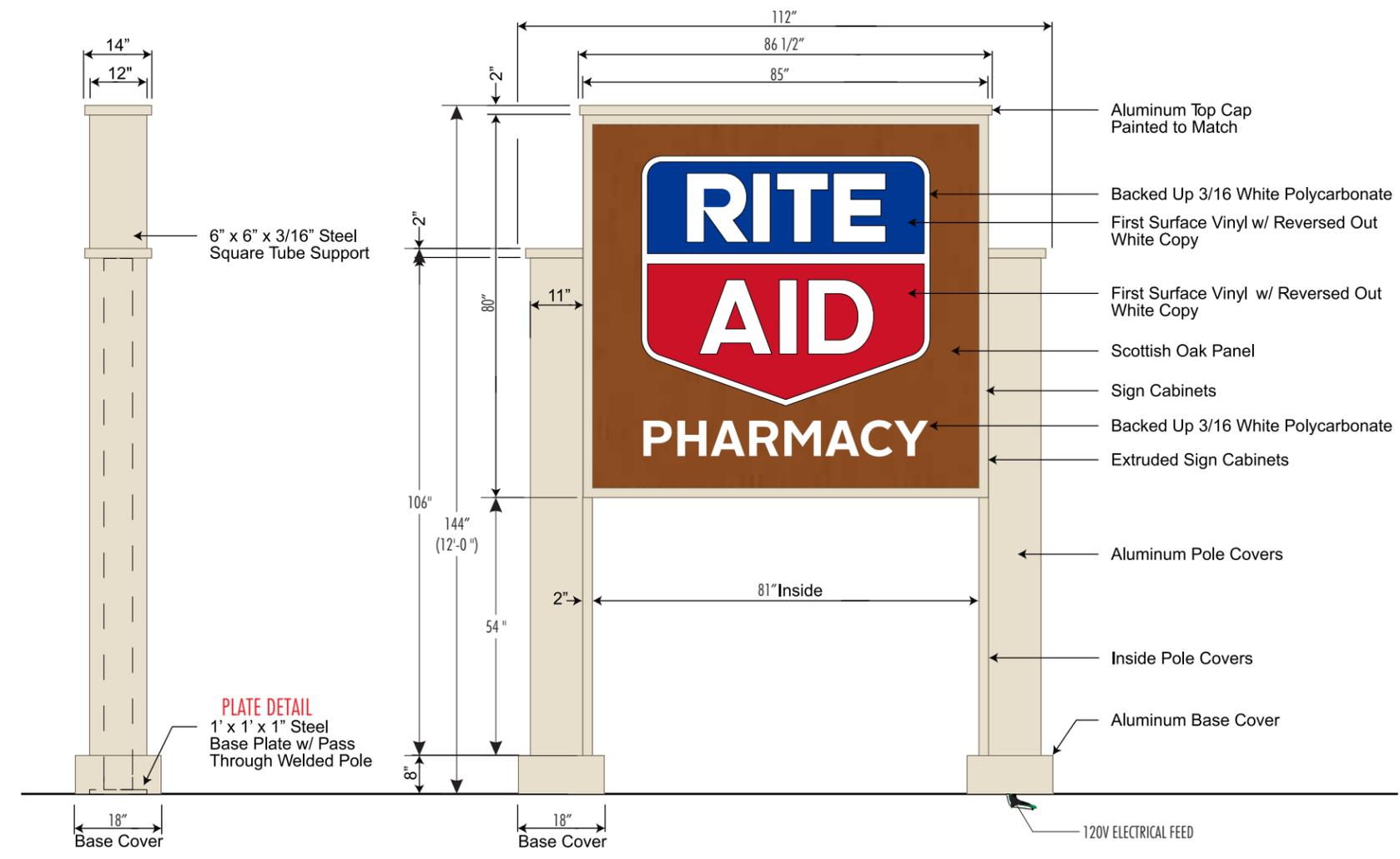
| ITEM | DECORATION                         |
|------|------------------------------------|
| A    | PAINT TO MATCH "OYSTER WHITE COOL" |
| B    | ARLON 2500-2870 BLUE               |
| C    | ARLON 2500-2283 RED                |
| D    | WHITE                              |
| E    | SCOTTISH OAK PANEL                 |
| F    | DRIFTWOOD MICA COOL 20 PANEL       |

| MATERIAL LIST |                  |
|---------------|------------------|
| 1             | ALUMINUM         |
| 2             | POLES            |
| 3             | LED ILLUMINATION |
| 4             |                  |
| 5             |                  |



6



**UL** THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

### GENERAL NOTES

- TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION  
**RITE AID 12'-0" DF LED IL BTP PYLON SIGN**

|                 |                     |
|-----------------|---------------------|
| DRAWN BY:       | CHECKED BY:         |
| BRIAN S.        |                     |
| CLIENT:         | ENTERPRISE HOLDINGS |
| LOCATION:       | MULTIPLE LOCATIONS  |
| QUOTE:          | DATE: 12/10/15      |
| DRAWING/PART #: | REV. SHEET #        |
| RAP12-LED       | A 12 OF 19          |

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### APPROVAL SIGNATURE

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COVERS MUST BE OPAQUE.



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

**REVISION HISTORY:**

| REV                  | DATE     | REQUESTED BY | UPDATED BY |
|----------------------|----------|--------------|------------|
| A                    | 08/11/15 | AH           | BS         |
| REVISION DESCRIPTION |          |              |            |
| INITIAL DRAWING      |          |              |            |

**PARTS LIST:**

| ITEM          | DECORATION                  |
|---------------|-----------------------------|
| A             | WHITE (OPAQUE)              |
| B             | MATCH Sw6076 TURKISH COFFEE |
| C             | ARLON 2500-2870 BLUE        |
| D             | ARLON 2500-2283 RED         |
| E             |                             |
| F             |                             |
| MATERIAL LIST |                             |
| 1             | PANAGRAPHS III              |
| 2             |                             |
| 3             |                             |
| 4             |                             |
| 5             |                             |

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION  
RITEAID  
4' x 8' TEMPORARY SF NL  
BANNER COVER W/GROMMETS

VOLTAGE: CIRCUIT: CURRENT: DESIGN LOAD:

DRAWN BY: BRIAN S. CHECKED BY:

CLIENT: RITEAID

LOCATION:

QUOTE: DATE: 08/11/15

DRAWING/PART # RAO408CVR01 REV. A SHEET # 13 OF 19

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7

32 SF

APPROVAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

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# NON-ILLUMINATED

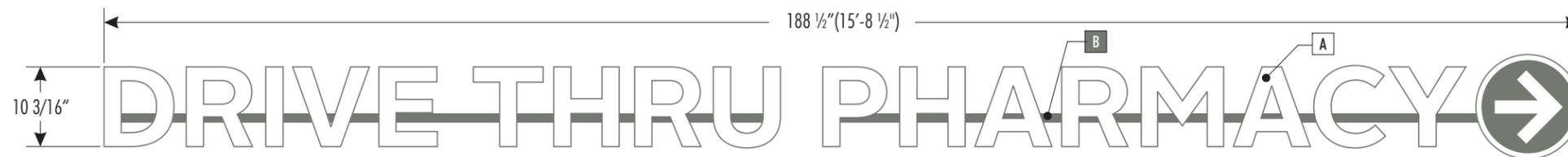
REQUIRED INFO: METHOD OF SERVICE IS REMOVAL OF FACE

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IDENTITY GROUP  
6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

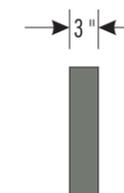
**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING



FRONT VIEW



SIDE VIEW

**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | WHITE                  |
| B    | PAINT TO MATCH PMS 424 |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |                         |
|---------------|-------------------------|
| 1             | 5" ALUMINUM RETURNS     |
| 2             | 1/8" WHITE PLASTIC FACE |
| 3             |                         |
| 4             |                         |
| 5             |                         |

FIRST SURFACE DECORATION

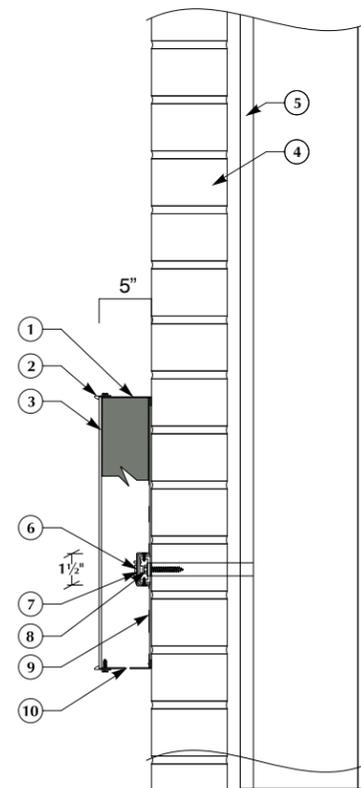
**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

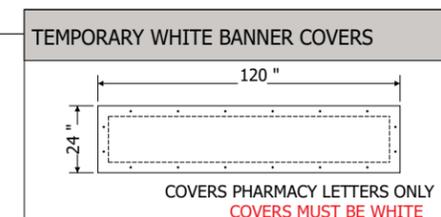
|  |           |                     |              |
|--|-----------|---------------------|--------------|
| DESCRIPTION  |           |                     |              |
| RITEAID<br>10 3/16" X 188 1/2" SF NL<br>CHANNEL LETTERS WITH ARROW |           |                     |              |
| VOLTAGE:   | CIRCUIT:  | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.  |           | CHECKED BY:         |              |
| CLIENT:<br>RITEAID   |           |                     |              |
| LOCATION:  |           |                     |              |
| QUOTE:   |           | DATE:               |              |
| DRAWING/PART #<br>RAV0032  | REV.<br>A | SHEET #<br>14 OF 19 |              |

| LETTERS | MATERIAL LIST   |
|---------|---|
| 1       | 5" X .040 aluminum letter coil painted pms 424 letter locked to aluminum letter backs |
| 2       | 1" Trim cap painted pms 424   |
| 3       | .125 #2447 White plex faces   |
| 4       | Building facade.  |
| 5       | Sheathing by others   |
| 6       | Pre-drilled electrical hole w/ plastic grommet.                                       |
| 7       | 1" x 2" x 1/8" Aluminum Raceway   |
| 8       | Masonry fasteners (Min. 3 per raceway)  |
| 9       | .063 pre-finished black/white aluminum backs (white to inside)                        |
| 10      | 1/4" Weep holes at low points of letters  |
| 11      |   |
| 12      |   |
| 13      |   |
| 14      |   |
| 15      |   |
| 16      |   |



Access to rear of facade to be by others.  
Note: All penetrations to be sealed with BIOSTOP 500 + Intumescent Firestop Sealant to meet NEC #300.21, ASTM #E814, UL #1479 and UL #2079 standards.

PART #: RA0210CVR



8

**APPROVAL SIGNATURE**

**DATE**

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**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 04/07/15 | AH           | CM         |

REVISION DESCRIPTION  
INITIAL DRAWING

**PARTS LIST:**

| ITEM | DECORATION                  |
|------|-----------------------------|
| A    | VINYL 3M 3630-59 DARK BROWN |
| B    |                             |
| C    |                             |
| D    |                             |
| E    |                             |
| F    |                             |

**MATERIAL LIST**

|   |                     |
|---|---------------------|
| 1 | CLEAR PLASTIC PANEL |
| 2 | VINYL COPY          |
| 3 |                     |
| 4 |                     |
| 5 |                     |

QTY: 1

FIRST SURFACE DECORATION

SCALE 1/2" : 1'-0"

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION  
RITEAID  
1' X 5' SF NL  
LEXAN PANEL SIGN

VOLTAGE: CIRCUIT: CURRENT: DESIGN LOAD:

DRAWN BY: CORY M. CHECKED BY:

CLIENT: RITEAID

LOCATION: MULTIPLE

QUOTE: 216587 DATE: 04/07/2015

DRAWING/PART # RA0105LEX REV. A SHEET # 15 OF 19

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**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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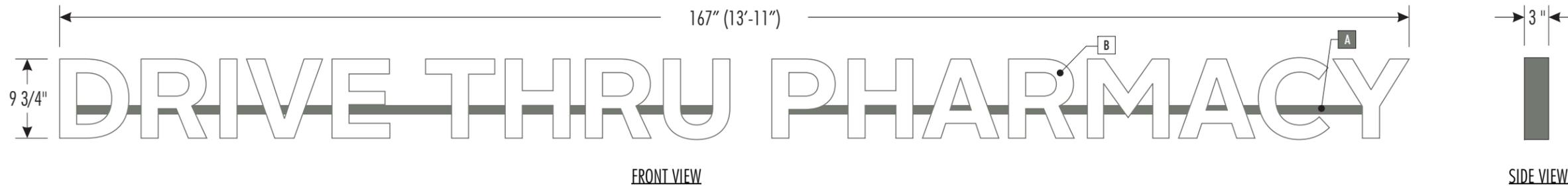
# NON-ILLUMINATED

REQUIRED INFO: METHOD OF SERVICE IS REMOVAL OF FACE

**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/16/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING



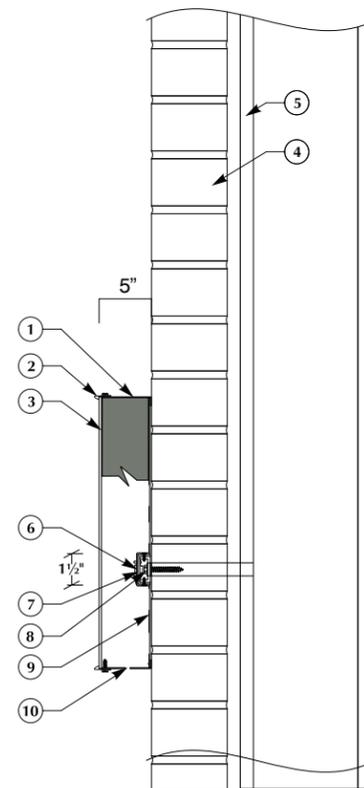
**PARTS LIST:**

| ITEM | DECORATION             |
|------|------------------------|
| A    | PAINT TO MATCH PMS 424 |
| B    | WHITE                  |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

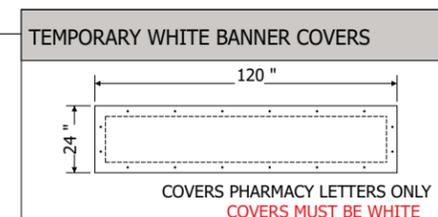
| MATERIAL LIST |                          |
|---------------|--------------------------|
| 1             | 1/8" WHITE PLASTIC FACES |
| 2             | 5" ALUMINUM RETURNS      |
| 3             |                          |
| 4             |                          |
| 5             |                          |

| LETTERS | MATERIAL LIST   |
|---------|---|
| 1       | 5" X .040 aluminum letter coil painted pms 424 letter locked to aluminum letter backs |
| 2       | 1" Trim cap painted pms 424   |
| 3       | .125 #2447 White plex faces   |
| 4       | Building facade.  |
| 5       | Sheathing by others   |
| 6       | Pre-drilled electrical hole w/ plastic grommet.                                       |
| 7       | 1" x 2" x 1/8" Aluminum Raceway   |
| 8       | Masonry fasteners (Min. 3 per raceway)  |
| 9       | .063 pre-finished black/white aluminum backs (white to inside)                        |
| 10      | 1/4" Weep holes at low points of letters  |
| 11      |   |
| 12      |   |
| 13      |   |
| 14      |   |
| 15      |   |
| 16      |   |



Access to rear of facade to be by others.  
Note: All penetrations to be sealed with BIOSTOP 500 + Intumescent Firestop Sealant to meet NEC #300.21, ASTM #E814, UL #1479 and UL #2079 standards.

PART #: RA0210CVR



FIRST SURFACE DECORATION

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**GENERAL NOTES**

1. TOLERANCE (UNLESS NOTED)  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

| DESCRIPTION                                    |             |          |              |
|--|-------------|----------|--------------|
| RITEAID 9 3/4" X 167" SF NL CHANNEL LETTER SET |             |          |              |
| VOLTAGE:                                       | CIRCUIT:    | CURRENT: | DESIGN LOAD: |
| DRAWN BY:                                      | CHECKED BY: |          |              |
| BRIAN S.                                       |             |          |              |
| CLIENT:  | RITEAID     |          |              |
| LOCATION:                                      | MULTIPLE    |          |              |
| QUOTE:   | DATE:       | 05/16/16 |              |
| DRAWING/PART #                                 | REV.        | SHEET #  |              |
| RAV0033  | A           | 16 OF 19 |              |

10

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
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NON-ILLUMINATED DT CANOPY SIGNS QTY:1 Each

**11** 54" (4'-6") # RA0854APC10  
 CLEARANCE 10'-0" 3 SQ FT

Scale 3/8" = 1' # RA0827APPU # RA0827APDO

**12** 27" (2'-3") PICK UP 1.5 SQ FT  
**13** 27" (2'-3") DROP OFF 1.5 SQ FT

Scale 3/8" = 1' # RA0827APEO # RA1818SPEO

**14** 27" (2'-3") EXIT ONLY 1.5 SQ FT  
**15** 18" EXIT ONLY 2.25 SQ FT



SCALE: 3/4" = 1'

**Panel**  
 .125 Flat Aluminum, paint GripGuard Brown to match BM 2108-20 Sierra Spruce Semi gloss finish P-4

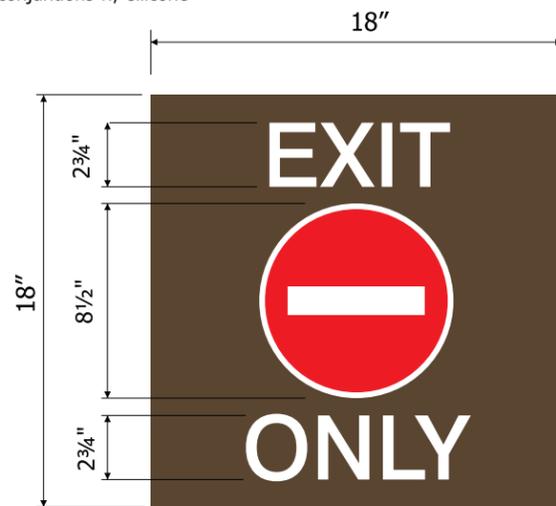
**Facade**  
 Aluminum Panels (Typ.)

**Mounting**  
 (4) 8x3 Flat Heat Color Matched Galvanized Deck Screws to be used in conjunctions w/ silicone

**Copy**  
 White Reflective vinyl copy 3M-480-10 V-5

COLOR/FINISHES

- P-1 MP 42-202 WHITE
- P-2 RUSTOLEUM 9109 WHITE PRIMER
- P-3 TO MATCH BM 996 ASHEN TAN
- P-4 TO MATCH BM 2108-20 SIERRA SPRUCE
- V-1 ARLON 2500-2870 BLUE
- V-2 ARLON 2500-2283 RED
- V-3 CALON 102 WHITE LOW TAC OPAQUE
- V-4 VINYL 3M-3630-59 DARK BROWN
- V-5 VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
- V-6 VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
- V-7 VINYL TO MATCH BM 0C-41 FRENCH CANVAS



SCALE: 1 1/2" = 1'

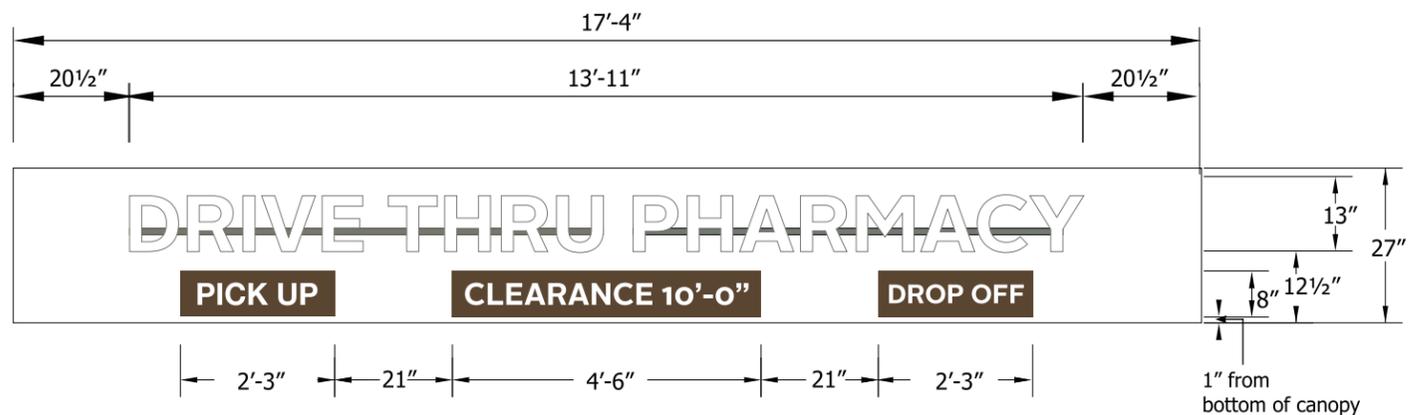
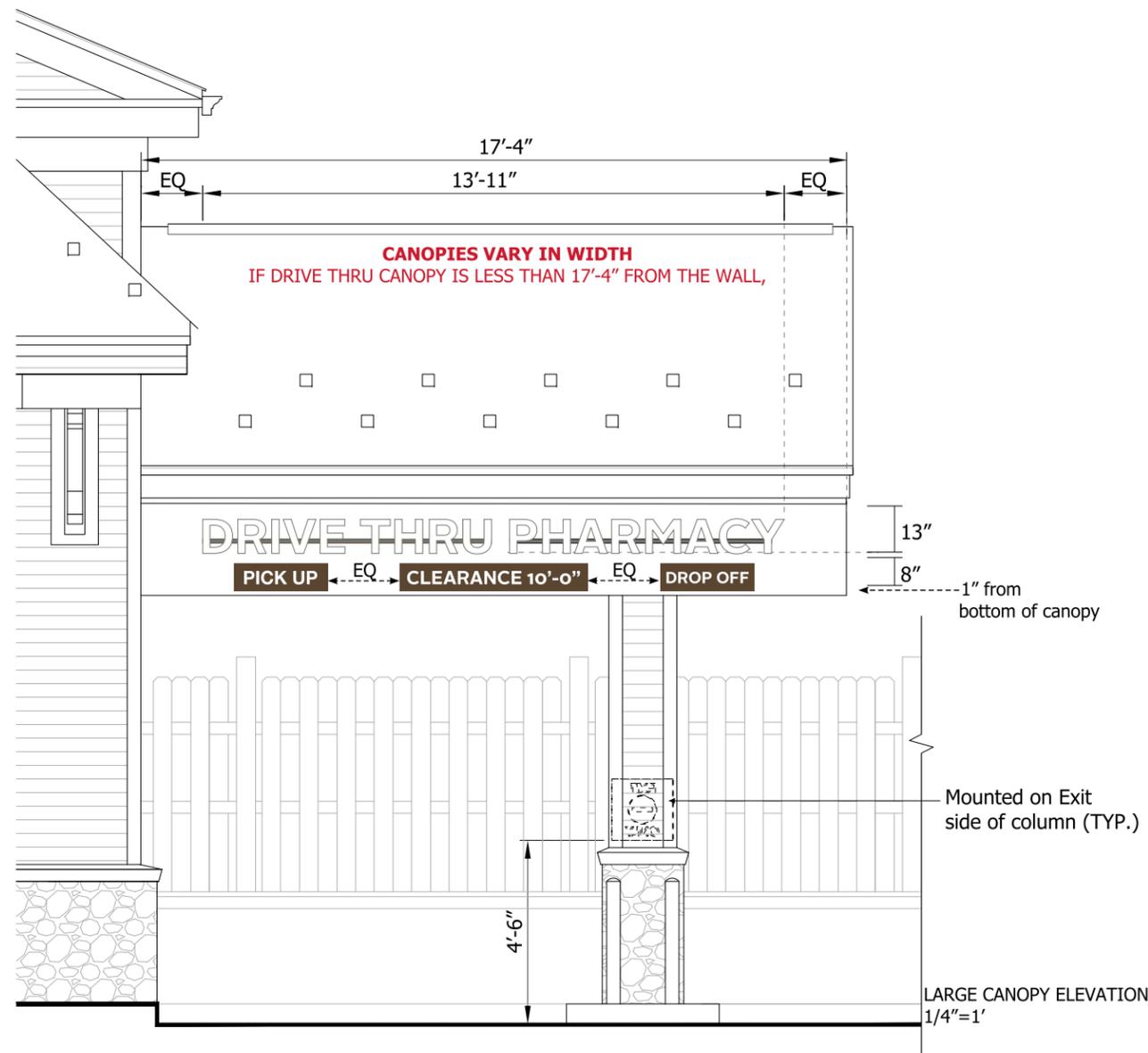
SF Traffic Control Sign

**Bkgd**  
 .125 Alum. paint GripGuard Brown to match BM 2108-20 Sierra Spruce (front & back) Semi gloss finish P-4

**Copy**  
 White Reflective vinyl copy 3M-480-10 V-5

**Symbol**  
 Red Reflective vinyl 3M 480-82 w/ White Reflective vinyl detail 3M-480-10 V-5 & V-6

**Facade**  
 CMU - Brick (Typ.)



SMALL CANOPY ELEVATION NTS

CANOPIES VARY IN WIDTH IF DRIVE THRU CANOPY IS LESS THAN 17'-4" FROM THE WALL,

D/F DIRECTIONAL SIGN  
NON-ILLUMINATED

4 SQ FT



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800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/10/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING

PARTS LIST:

| ITEM | DECORATION                               |
|------|--|
| A    | VINYL (TO MATCH 'SW6076 TURKISH COFFEE') |
| B    | WHITE REFLECTIVE VINYL 3M480-10          |
| C    |  |
| D    |  |
| E    |  |
| F    |  |

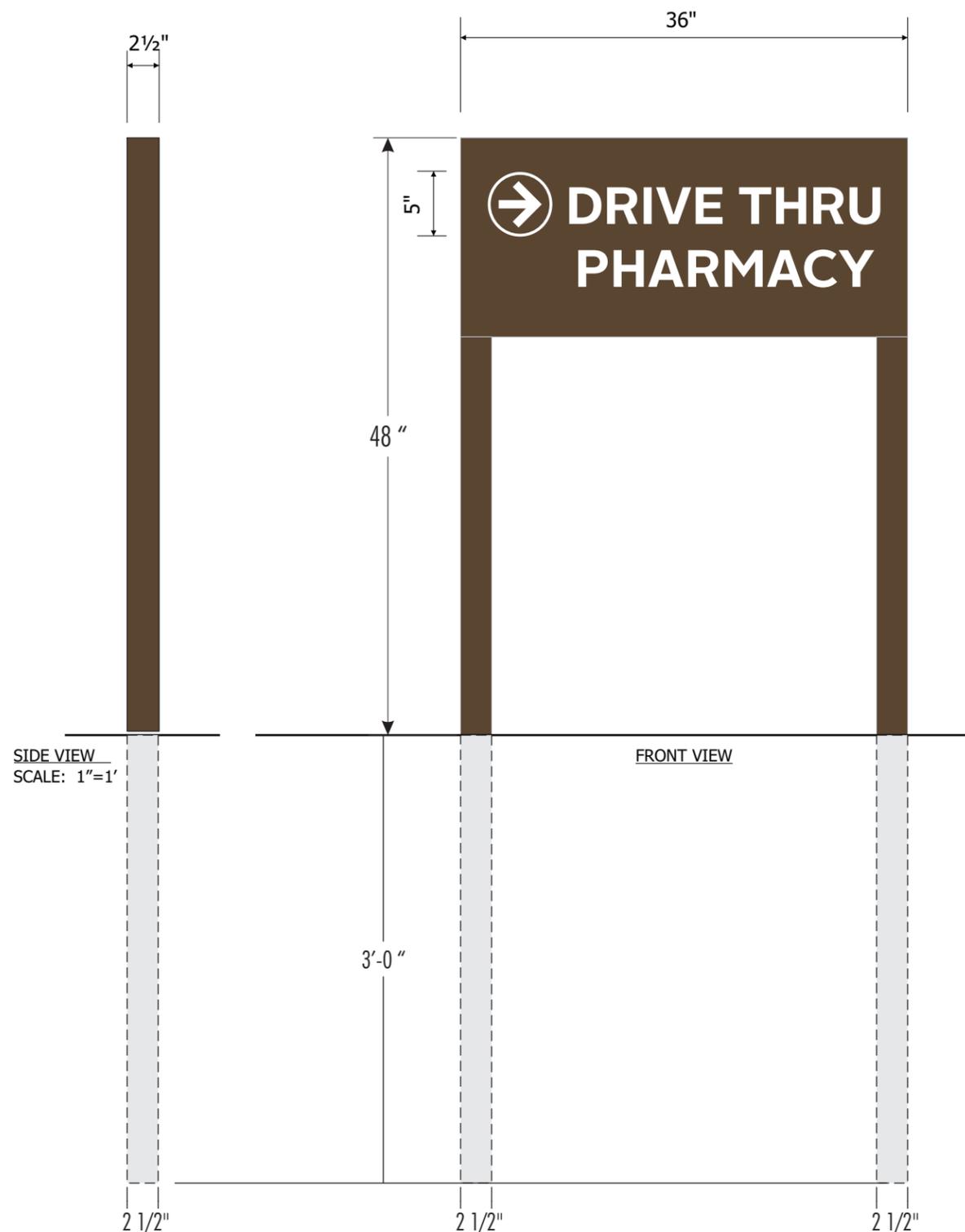
MATERIAL LIST

|   |                      |
|---|----------------------|
| 1 | 1/8" ALUMINUM PANEL  |
| 2 | LOW-TAC OPAQUE VINYL |
| 3 |                      |
| 4 |                      |
| 5 |                      |

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

GENERAL NOTES

- TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48



BACK VIEW  
SCALE: 1"=1'

**Panels**  
.080 flat aluminum panels  
PAINTED Sw6076 TURKISH COFFEE

**Copy**  
White Reflective vinyl copy  
WHITE REFLECTIVE VINYL 3M480-10

**Posts**  
PAINTED Sw6076 TURKISH COFFEE

TEMPORARY VINYL COVERS

NO COPY

QTY:  
As Needed



VINYL TO MATCH SW6076 TURKISH COFFEE  
LOW TAC OPAQUE VINYL

SCALE 1:12  
4 SF

16

APPROVAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

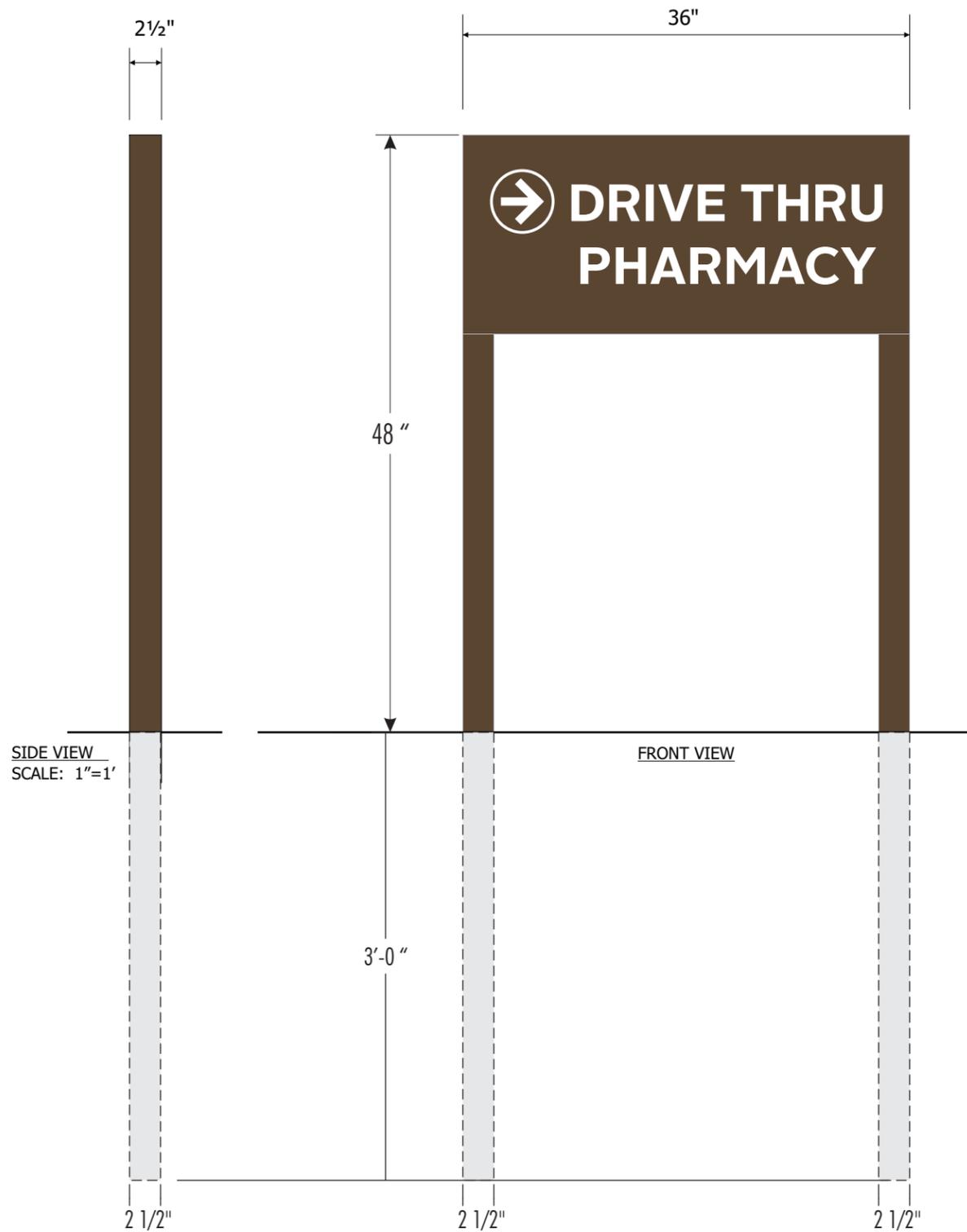
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| DESCRIPTION                                     |          |                     |              |
|---|----------|---------------------|--------------|
| RITEAID<br>16" x 36" DF NL<br>DIRECTIONAL SIGNS |          |                     |              |
| VOLTAGE:  | CIRCUIT: | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.                           |          | CHECKED BY:         |              |
| CLIENT:<br>RITEAID                              |          | LOCATION:           |              |
| QUOTE:  | DATE:    | 05/10/16            |              |
| DRAWING/PART #<br>RAV0035                       | REV<br>A | SHEET #<br>18 OF 19 |              |

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D/F DIRECTIONAL SIGN  
NON-ILLUMINATED 4 SQ FT



BACK VIEW  
SCALE: 1"=1'

- Panels**  
.080 flat aluminum panels  
PAINTED Sw6076 TURKISH COFFEE
- Copy**  
White Reflective vinyl copy  
WHITE REFLECTIVE VINYL 3M480-10
- Posts**  
PAINTED Sw6076 TURKISH COFFEE

**TEMPORARY VINYL COVERS**

|  |         |                          |
|--|---------|--------------------------|
| NO COPY  | 26 7/8" | QTY:<br><b>As Needed</b> |
|  |         |                          |
| VINYL TO MATCH SW6076 TURKISH COFFEE<br>LOW TAC OPAQUE VINYL |         |                          |

**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/10/16 | TL           | BS         |

REVISION DESCRIPTION: INITIAL DRAWING

**PARTS LIST:**

| ITEM | DECORATION                               |
|------|--|
| A    | VINYL (TO MATCH 'SW6076 TURKISH COFFEE') |
| B    | WHITE REFLECTIVE VINYL 3M480-10          |
| C    |  |
| D    |  |
| E    |  |
| F    |  |

**MATERIAL LIST**

|   |                      |
|---|----------------------|
| 1 | .080" ALUMINUM PANEL |
| 2 | LOW-TAC OPAQUE VINYL |
| 3 |                      |
| 4 |                      |
| 5 |                      |

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAX MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|   |                   |                     |              |
|---|-------------------|---------------------|--------------|
| DESCRIPTION<br><b>RITEAID</b><br>16" x 36" DF NL<br>DIRECTIONAL SIGNS |                   |                     |              |
| VOLTAGE:  | CIRCUIT:          | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.   |                   | CHECKED BY:         |              |
| CLIENT:<br>RITEAID  |                   |                     |              |
| LOCATION:   |                   |                     |              |
| QUOTE:  | DATE:<br>05/10/16 |                     |              |
| DRAWING/PART #<br>RAV0034   | REV<br>A          | SHEET #<br>19 OF 19 |              |

SCALE 1:12  
4 SF

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

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# RITE AID

## PERMIT DRAWINGS

RITE AID #581  
90 WEST AVE.  
SARATOGA SPRINGS, NY 12866



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: [www.signresource.com](http://www.signresource.com)

| Sign Code Allows:                     |                 | Site: |   |          |
|---------------------------------------|-----------------|-------|---|----------|
| Sign#                                 | Sign Type:      | Qty:  | Description:  | Comments |
| 1                                     | Channel letters | 3     | 30" Channel letters   |          |
| 2                                     | Pharmacy        | 2     | 20" Pharmacy letters  |          |
| 3                                     | Pylon           | 1     | 12' -0" Pylon   |          |
| 4                                     | Banner          | 2     | Temporary Coming Soon banner  |          |
| 5                                     | Aluminum Panel  | 2     | Department Within   |          |
| 6                                     | Channel letters | 1     | Drive Thru Pharmacy   |          |
| 7                                     | Aluminum Panel  | 1     | Clearance 10' -0"   |          |
| 8                                     | Aluminum Panel  | 1     | Pick Up   |          |
| 9                                     | Aluminum Panel  | 1     | Drop Off  |          |
| 10                                    | Aluminum Panel  | 1     | Exit Only   |          |
| 11                                    | Aluminum Panel  | 1     | Exit Only traffic   |          |
| 12                                    | Directional     | 1     | Drive Thru Pharmacy with arrow - both sides                         |          |
| 13                                    | Directional     | 1     | Drive Thru Pharmacy with arrow - Thank You For Shopping at Rite Aid |          |
| 14                                    | Shield          | 1     | Rite Aid shield cabinet   |          |
|                                       |                 |       |   |          |
|                                       |                 |       |   |          |
|                                       |                 |       |   |          |
|                                       |                 |       |   |          |
| <b>Variance Summary / Likelihood:</b> |                 |       |   |          |



**STANDARD CODE REVIEW** Estimate/Job#: **98147**  
Store #: **581**

A.) Project Name: **Rite Aid** Completed By and Date: **8-27-13 / SP**  
 Street Address: **90 West Ave**  
 Town / City / State / Zip: **Saratoga Springs NY 12866**  
 B.) Zoning Office / contact for zoning information:  City  Town  Township  Village  County  State  
 Jurisdiction: **City of Saratoga Springs**  
 Contact: **Deborah Wertheim 518-587-3550 x 2533 / Susan Barden, Senior Planner x 2493**  
 C.) Zoning Classification for property: **T-5 Transect Zone 5 Neighborhood Center**  
 D.) Will code be changing anytime soon? **No**  
 Notes:

**WALL SIGNS**

1.) Square footage of wall signage allowed: **Not to exceed 2 sq. ft. for each linear foot of building frontage or a total of 100 sq. ft., whichever is less.**  
 2.) How many elevations are wall signs allowed on? **One (1) wall sign per street frontage**  
 3.) If signs are allowed on rear or sides of building, is the square footage deducted from the front elevation? **No**  
 4.) How is square footage to be calculated? **Entire area within a continuous perimeter enclosing the extreme limits of sign display, including any frame or border. The sign structure shall be included if designed as integral to the sign display. The calculation for a double-faced sign shall be the area of one face only.**  
 5.) Are design elements or logos a part of the square footage calculation? **Yes**  
 6.) May signs be internally illuminated? **All backlit signs shall have a dark background. Only the letters and/or message area of the sign shall be illuminated.**  
 7.) Any restrictions to the location of the sign on the wall other than being located on the wall, below eaves, or on the parapet? **Wall signs shall not extend beyond the ends, or over the top, of the walls to which it is attached. Wall signs shall not extend above the first floor level of the building**  
 8.) Maximum projection for wall signs: **Electric wall signs may extend a total of 14 inches from the face of the building to accommodate a code-required transformer box but that box shall not extend more than 8 inches from the building.**  
 Notes:

**POLE/PYLON SIGNS**

1.) Square footage of pole/pylon signage allowed per sign face for a double-faced sign: **24 Sq. Ft.**  
 2.) Quantity: **One (1)**  
 3.) Maximum height for pole/pylon: **12 feet**  
 4.) Minimum clearance below pole/pylon? **Signs that extend over a pedestrian walkway or driveway must have a minimum 10 foot vertical clearance from the ground.**  
 5.) Are design elements or logos a part of the square footage calculation? **Yes**  
 6.) May signs be internally illuminated? **Yes. All backlit signs shall have a dark background. Only the letters and/or message area of the sign shall be illuminated.**  
 7.) Landscaping requirements:  
 8.) Address number to be included?  
 9.) Set-back from right-of-way or property line/vision triangle: **No sign shall be placed within 150 feet of a signalized, or within 50 feet of an unsignalized, street intersection so as to cause a traffic hazard at the intersection. A freestanding sign shall not be located within 50 feet of another freestanding sign. A freestanding sign shall not extend into the public right-of-way or extend beyond the property lines.**  
 Notes:

**STANDARD CODE REVIEW - Continued** Estimate/Job#: **581** **98147**

A.) Project Name: **Rite Aid** Completed: **8-27-13 / SP**

**ENGINEERING**

1.) Are signed/sealed Engineering drawings required: For wall signs? **No** For Freestanding signs? **Yes**  
 2.) Calculations and drawings both required? **Both**  
 3.) How many sets required? **Two (2)**  
 4.) Building Code/Year: **2010 New York State Building Code**  
 5.) Electrical Code/Year: **NFPA 70**  
 6.) Wind loads/Exposure: **90 MPH w/ 3 sec gusts**  
 7.) Special inspections noted on drawings from engineer: **Per Engineer**  
 Notes:

**VARIANCES**

1.) Are variances considered? \_\_\_\_\_ Yes  No   
 2.) Variance fees and costs? **\$500.00 + fees for advertising**  
 3.) Application deadline? **Must be submitted to the Building Inspector, Room 10, City Hall, at least 4 weeks prior to the next Zoning Board meeting. See attached schedule for application deadlines and meeting dates.**  
 4.) Process, how often are the meetings, and the number of meetings? **Zoning Board of Appeals meets twice a month**  
 5.) Forms and contact information: **Application for Appeal to Zoning Board / Contact Susan Barden Senior Planner (ZBA) (518) 587-3550 x2493**  
 Notes: **Applicant must be the property owner(s) or lessee. Applicants are required to mail a copy of the public hearing legal notice to all property owners**

**DIRECTIONAL SIGNS**

1.) Number of directional's allowed: **Not specified** 2.) Maximum square footage: **4 sq. ft.**  
 3.) Maximum height: **4 feet** 4.) Set-back:  
 5.) Illumination allowed? **Yes** 6.) Custom logo: **Business names or logos not permitted**  
 7.) Permit required? **No**  
 Notes:

**ELECTRONIC MESSAGE CENTERS/ READER BOARDS**

1.) EMC's allowed: **Not allowed** 2.) Maximum square  
 3.) Color restrictions? 4.) Movement restrictions?  
 Notes:

**AWNINGS AND TEMPORARY SIGNAGE**

3.) Temporary Signs: **One on-premise, non-illuminated sign listing the owner, designer and/or contractor where construction or renovation is in progress: maximum 10 sq. ft.**  
 Notes:



**STANDARD CODE REVIEW - Continued Estimate/Job#: 98147**

A.) Project Name: Rite Aid Completed: 8-27-13 / SP

**PERMITTING**

1.) Process:  
 What needs to be done first? **Must apply for variance first if needed. Once variance is approved/denied will then have to apply for review with the Design Review Commission since site is located in an Architectural Review Area within the City.**  
**For Design Review Commission: Submit completed applications to the Office of Planning & Economic Development, Room 10, City Hall, at least 4 weeks prior to the next DRC meeting. Meetings are held 1st & 3rd Wednesdays of the month. Fee is \$100.00. Rep to be present at this meeting.**  
**Signage / Awnings**  
**Color photographs showing site/exterior details of existing structures, and adjacent properties**  
 Plan showing location of proposed sign/awning structure on building/premises: no larger than 11"x17"  
**Scaled illustration of proposed sign/awning structure and lettering (front view & profile): include all dimensions of structure; type, dimensions and style of lettering or logo; description of colors, materials, mounting method and hardware**  
**Descriptions, specifications of proposed lighting including fixture & lamp type, wattage, mounting method, and location**  
**Product literature, specifications and samples of proposed materials and colors**

Can the sign permit be issued before the building permit? **No**  
 Other jurisdiction? **No**

2.) Permit application and checklist:  
 Planning: **Design Review Commission Application**  
 Building: **Application for Sign Permit**  
 Number of Sets of Drawings Req'd: **1 original and 9 collated sets for DRC meeting / Two (2) for building**  
 Permit application can be mailed? **Yes**

3.) Permitting Process time frame:  
 Planning: **Goes thru Design Review Commission for approval. If needed, apply for Variance first thru ZBA then goes to DRC**  
 Building:  
 Counter Service Available? **No**

4.) Permit application fees:  
 Planning: **\$100.00 for Design Review Commission**  
 Building: **Sign permit fee of \$100.00 (check made payable to Commissioner of Finance), must accompany application.**

5.) Length of time the permit will be valid: **6 months**

**SIGN MARKINGS**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Electrical Hook-up included with Sign Permit               | <input checked="" type="checkbox"/> Property Owner Information              | <input checked="" type="checkbox"/> UL label visible after installation   |
| <input checked="" type="checkbox"/> Electrical Permit Req'd by Licensed Electrician | <input checked="" type="checkbox"/> Property Owner Signature on Application | <input checked="" type="checkbox"/> Disconnect visible after installation |
| <input type="checkbox"/> Building/Structural Permit Req'd                           | <input checked="" type="checkbox"/> Subcontractor Information               | <input type="checkbox"/> Permit number and/or tag                         |
| <input checked="" type="checkbox"/> Sealed Engineering Req'd                        | <input checked="" type="checkbox"/> Subcontractor Signature on Application  | <input type="checkbox"/> Sign owner information                           |
| <input checked="" type="checkbox"/> Owner/Agent Letter of Authorization             | <input type="checkbox"/> List of UL numbers                                 | <input type="checkbox"/> Sign manufacturer information                    |

5.) Is a permit required to reface or change faces in an existing sign with no changes to the support structure, electrical, or cabinet?  
 Notes:

**INSTALLATION**

1.) Inspections Required? **Footing / Final / Electrical**  
 Is the original permit required to be on site for inspections? **Yes**  
 Any Special/Third Party Inspections Required? **No**  
 Contact and advance notice requirements: **(518) 587-3550 Building Department**

2.) Commercial Sign Installer Requirements:

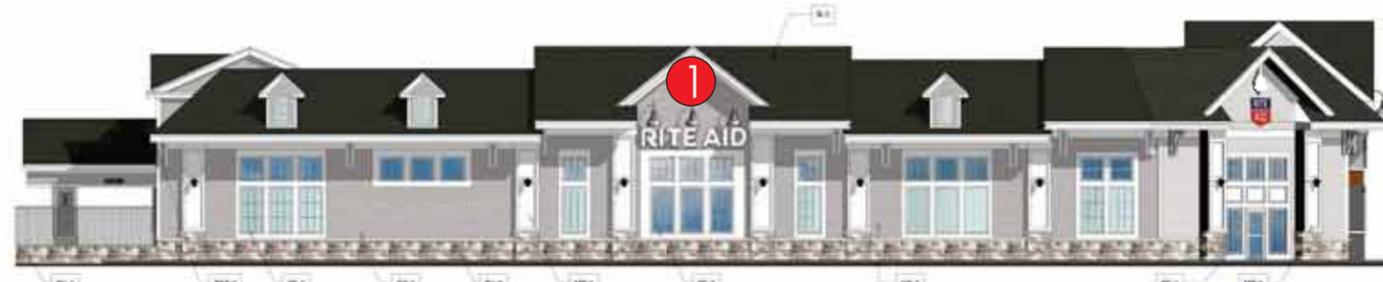
|  |  |   |
|--|--|---|
| <input type="checkbox"/> State License                                     | <input type="checkbox"/> Bonding                           | <input checked="" type="checkbox"/> Sub Required to Pull Permit |
| <input checked="" type="checkbox"/> Local License or Registration          | <input checked="" type="checkbox"/> Insurance              | <input checked="" type="checkbox"/> Sub Required for Install    |
| <input checked="" type="checkbox"/> Licensed Electrician Req'd for hook-up | <input checked="" type="checkbox"/> Workman's Compensation | <input type="checkbox"/> Jones Sign Can Pull Permit             |
| <input type="checkbox"/> Out-of-State Contractor Allowed                   |  | <input type="checkbox"/> Jones Sign Can Install                 |

Notes: **City license required with Insurance**

**RECOMMENDATION**







1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 ARCHITECTURAL ELEVATIONS OF A RITE AID  
 PHARMACY, 581 WEST AVENUE, SARATOGA SPRINGS, NY 12158  
 PREPARED BY: SIGN RESOURCE  
 6135 DISTRICT BLVD., MAYWOOD, CA 90270  
 800.423.4283 • FAX 323.560.7143  
 WWW.SIGNRESOURCE.COM

# NON-ILLUMINATED

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 08/30/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING

### PARTS LIST:

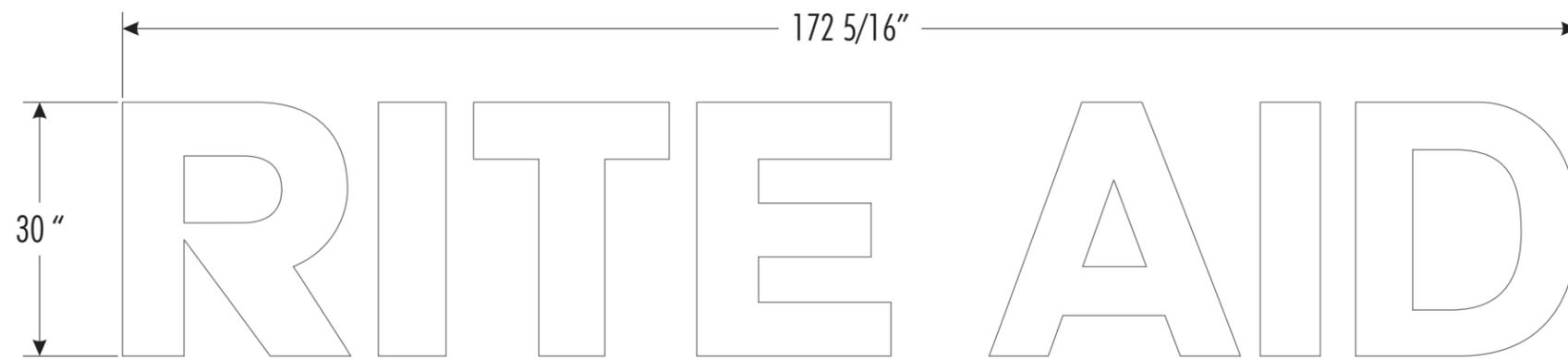
| ITEM | DECORATION             |
|------|------------------------|
| A    | WHITE                  |
| B    | PAINT TO MATCH PMS 424 |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |        |
|---------------|--------|
| 1             | SINTRA |
| 2             |        |
| 3             |        |
| 4             |        |
| 5             |        |

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### GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48



FRONT VIEW



SIDE VIEW

DESCRIPTION  
**RITEAID**  
**30" X 172 5/16" SF NL**  
**SINTRA LETTERS**

VOLTAGE:      CIRCUIT:      CURRENT:      DESIGN LOAD:

DRAWN BY:      CHECKED BY:  
**BRIAN S.**

CLIENT:      **RITEAID**

LOCATION:

QUOTE:      DATE:

DRAWING/PART #      REV.      SHEET #  
A      7 OF 42

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1

**APPROVAL SIGNATURE**      **DATE**  
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1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 100% SCALE  
 10/15/16  
 10/15/16  
 10/15/16  
 10/15/16

# NON-ILLUMINATED

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 08/30/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING

### PARTS LIST:

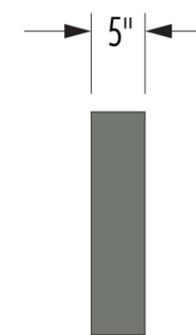
| ITEM | DECORATION             |
|------|------------------------|
| A    | WHITE                  |
| B    | PAINT TO MATCH PMS 424 |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |        |
|---------------|--------|
| 1             | SINTRA |
| 2             |        |
| 3             |        |
| 4             |        |
| 5             |        |



FRONT VIEW



SIDE VIEW

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  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|             |   |
|-------------|---|
| DESCRIPTION | RITEAID<br>20" X 161 11/16"<br>SF NL SINTRA LETTERS |
| VOLTAGE:    | CIRCUIT:      CURRENT:      DESIGN LOAD:            |

DRAWN BY: BRIAN S.      CHECKED BY:

CLIENT: RITEAID

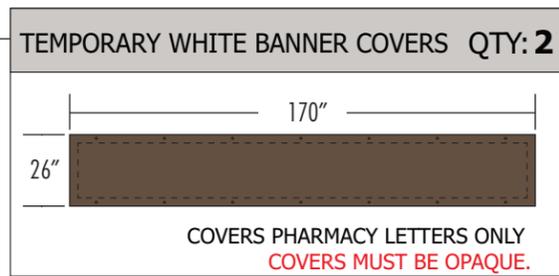
LOCATION:

QUOTE:      DATE:

DRAWING/PART #      REV.      SHEET #  
A      10 OF 42

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PART #: RA0214CVR — TEMPORARY WHITE BANNER COVERS QTY: 2



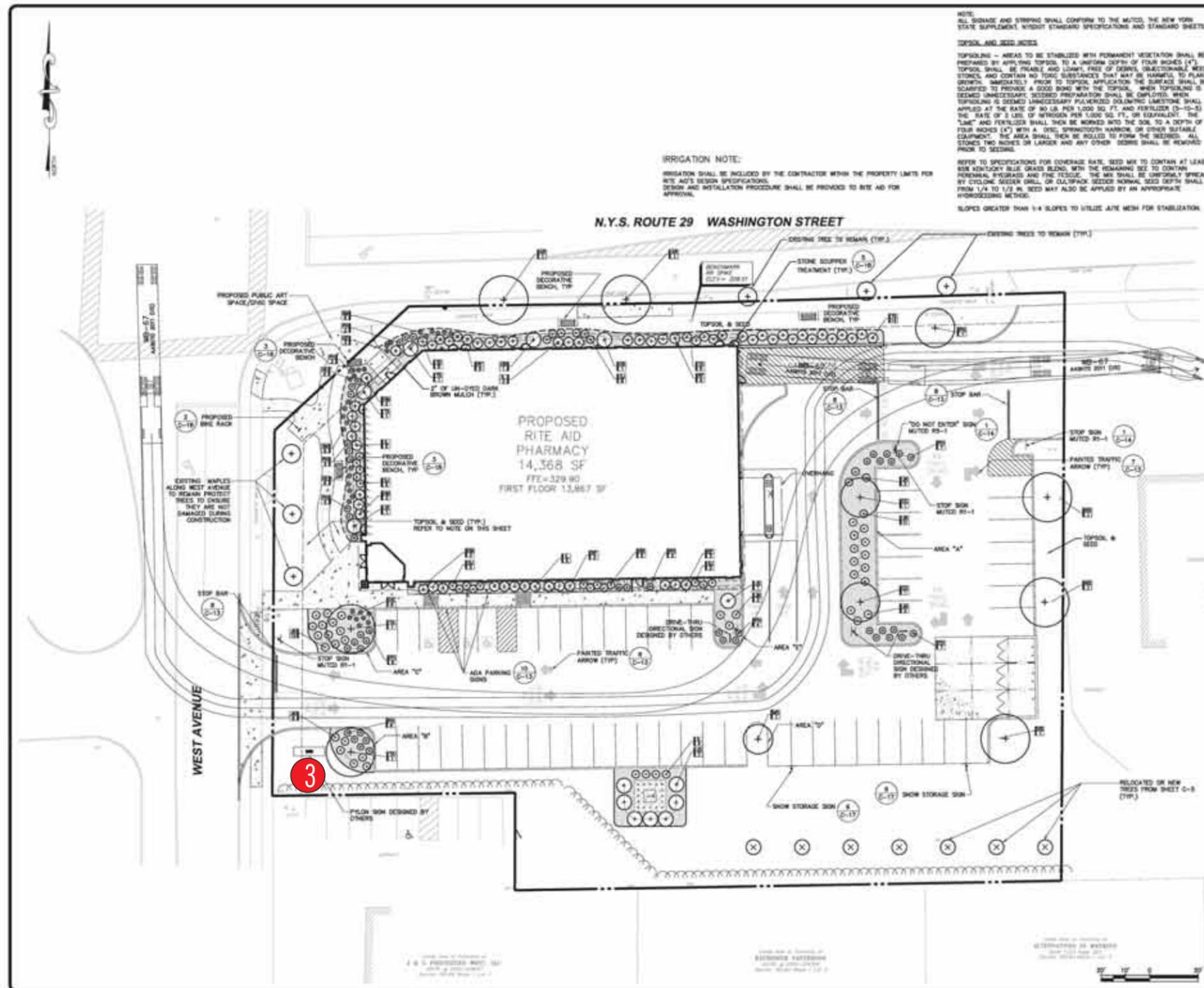
SCALE 1:17  
22.46 SF

2

**APPROVAL SIGNATURE**      **DATE**

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**NOTE:**  
ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE MUTCD, THE NEW YORK STATE SUPPLEMENT, MICHIGAN STANDARD SPECIFICATIONS AND STANDARD SHEETS.

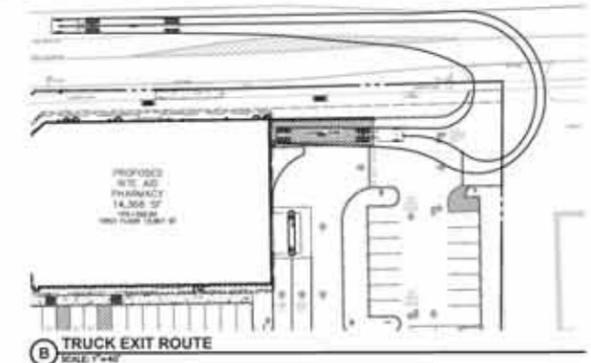
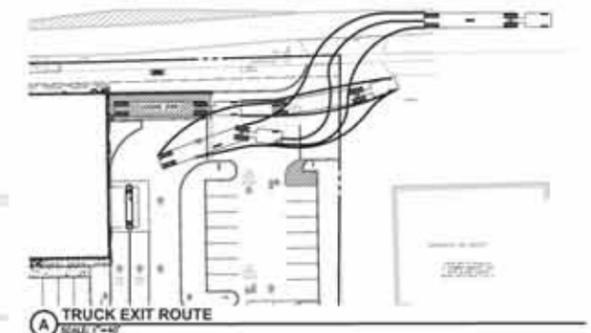
**TOPSOIL AND SEED NOTES:**  
TOPSOILING - AREAS TO BE STABILIZED WITH PERMANENT VEGETATION SHALL BE PREPARED BY APPLYING TOPSOIL TO A UNIFORM DEPTH OF FOUR INCHES (4"). TOPSOIL SHALL BE PLAIN AND LOAMY, FREE OF DEBRIS, UNDESIRABLE WEEDS, STONES, AND CONTAIN NO TOXIC SUBSTANCES THAT MAY BE HARMFUL TO PLANT GROWTH. IMMEDIATELY PRIOR TO TOPSOIL APPLICATION THE SURFACE SHALL BE SCARIFIED TO PROVIDE A GOOD BOND WITH THE TOPSOIL. WHEN TOPSOILING IS SEEMED UNNECESSARY, SEEDING PREPARATION SHALL BE EMPLOYED. WHEN TOPSOILING IS DEEMED UNNECESSARY, POLYMERIZED SOLOMATIC LIMEZONE SHALL BE APPLIED AT THE RATE OF 80 LB. PER 1,000 SQ. FT. AND FERTILIZER (3-10-5) AT THE RATE OF 2 LB. OF NITROGEN PER 1,000 SQ. FT. OR EQUIVALENT. THE "LIME" AND FERTILIZER SHALL THEN BE WORKED INTO THE SOIL TO A DEPTH OF FOUR INCHES (4") WITH A DISC SPRINGTOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE AREA SHALL THEN BE ROLLED TO FIRM THE SEEDS. ALL STONES TWO INCHES OR LARGER AND ANY OTHER DEBRIS SHALL BE REMOVED PRIOR TO SEEDING.

**IRRIGATION NOTE:**  
IRRIGATION SHALL BE INCLUDED BY THE CONTRACTOR WITHIN THE PROPERTY LIMITS FOR RITE AID'S DESIGN SPECIFICATIONS. DESIGN AND INSTALLATION PROCEDURE SHALL BE PROVIDED TO RITE AID FOR APPROVAL.

REFER TO SPECIFICATIONS FOR COVERAGE RATE. SEED MIX TO CONTAIN AT LEAST 80% KENTUCKY BLUE GRASS BLEND, WITH THE REMAINING 20% TO CONTAIN PERENNIAL RYEGRASS AND FINE FESCUE. THE MIX SHALL BE UNIFORMLY SPREAD BY CYCLOPE SEEDER OR EQUIVALENT. SEED DEPTH SHALL BE FROM 1/4 TO 1/2 IN. SEED MIX ALSO BE APPLIED BY AN APPROPRIATE HYDROSEEDING METHOD.

SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |                 |
|----------------------|-----|-----------------------------------|--------------------------|-----------------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE / SPACING  |
| TREES                |     |                                   |                          |                 |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL.         |
| CC                   | 2   | CERIS SARRACENSIS                 | EASTERN REDBUD           | 2" CAL.         |
| WR                   | 1   | WALNUS 'ADONIS'                   | FLORING GRAMMABLE        | 2" CAL.         |
| WB                   | 3   | WYTA ELASTICA                     | BLACK BIRCH              | 2" CAL.         |
| FR                   | 1   | FRAXINUS                          | WHITE SPRUCE             | 8-10'           |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7"            |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL.         |
| SHRUBS               |     |                                   |                          |                 |
| DR                   | 2   | DRACOPANUS PTERIS 'BOLEZANO'      | JAPANESE FALSECYPRESS    | 4'-5" F.C.      |
| HM                   | 2   | HYDRANGEA PANGOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" F.C.    |
| GL                   | 17  | GLORIOSA 'IMPACTA'                | IMPACTA BIRDIE           | 24"-30" F.C.    |
| JA                   | 28  | JANUS PROCESSIONS 'NASH'          | SWAMP GARDEN JAMPER      | 3 GAL. F.C.     |
| JS                   | 2   | JANUS SCOPULORUM 'MOON BLUE'      | MOON BLUE JANUS          | 3'-4" F.C.      |
| WF                   | 16  | WINDSOR 'DUNHILL'S WHITE'         | 'DUNHILL'S WHITE'        | 18"-24" F.C.    |
| WR                   | 2   | ROSA 'RADAZZ'                     | DOUBLE KNOCKOUT ROSE     | 3 GAL. F.C.     |
| SP                   | 16  | SPREA 'LITTLE PRINCESS'           | LITTLE PRINCESS SPREA    | 3 GAL. F.C.     |
| TS                   | 16  | 'TARUS X MEDIA 'DENSIFORM'        | DENSE SPREADING YEW      | 3 GAL. F.C.     |
| TS                   | 2   | TRIALIA OOOOONALIS 'EMERALD'      | EMERALD GREEN ARBORVITAE | 5'-6" F.C.      |
| PERENNIALS & GRASSES |     |                                   |                          |                 |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAFFLOW                  | 1 GAL. F.C.     |
| PH                   | 40  | PERENNIAL 'DAMEL'                 | SWAMP FOUNTAIN GRASS     | 2 GAL. 30" O.C. |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL. F.C.     |



PD # 14.057

APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION

ADOPTED \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| NO.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 1/23/16  | REVISION TO ARCHITECTURE, LAYOUT AND GRADING          | AWL | JWE         | 2/3/16   |
| 3                     | 2/3/16   | REVISIONS   | AWL | JWE         | 2/3/16   |
| 4                     | 2/3/16   | REVISIONS   | AWL | JWE         | 2/3/16   |

THE ALTERATION OF THIS MATERIAL SHALL BE UNLESS DONE UNDER THE DIRECTION OF A QUALIFIED PROFESSIONAL ENGINEER OR ARCHITECT FOR AN ARCHITECT OR FOR AN ENGINEER OR LANDSCAPE ARCHITECT. A LANDSCAPE ARCHITECT IS A VIOLATION OF STATE EDUCATION LAW AND/OR REGULATION AND IS A CLASS 'B' MISDEMEANOR.

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: SAJ-PRJ-16-004-01  
DATE: 08/30/16  
**C-10**



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

# PYLON IS TO BE SHIPPED OUT AS 1 PIECE

METHOD OF SERVICE IS TBD BY ENGINEERING

# LED ILLUMINATION

# OPTION #1



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 12/10/15 | TL           | BS         |

REVISION DESCRIPTION: INITIAL DRAWING

### PARTS LIST:

| ITEM | DECORATION                         |
|------|------------------------------------|
| A    | PAINT TO MATCH "OYSTER WHITE COOL" |
| B    | ARLON 2500-2870 BLUE               |
| C    | ARLON 2500-2283 RED                |
| D    | WHITE                              |
| E    | SCOTTISH OAK PANEL                 |
| F    | DRIFTWOOD MICA COOL 20 PANEL       |

| MATERIAL LIST |                  |
|---------------|------------------|
| 1             | ALUMINUM         |
| 2             | POLES            |
| 3             | LED ILLUMINATION |
| 4             |                  |
| 5             |                  |

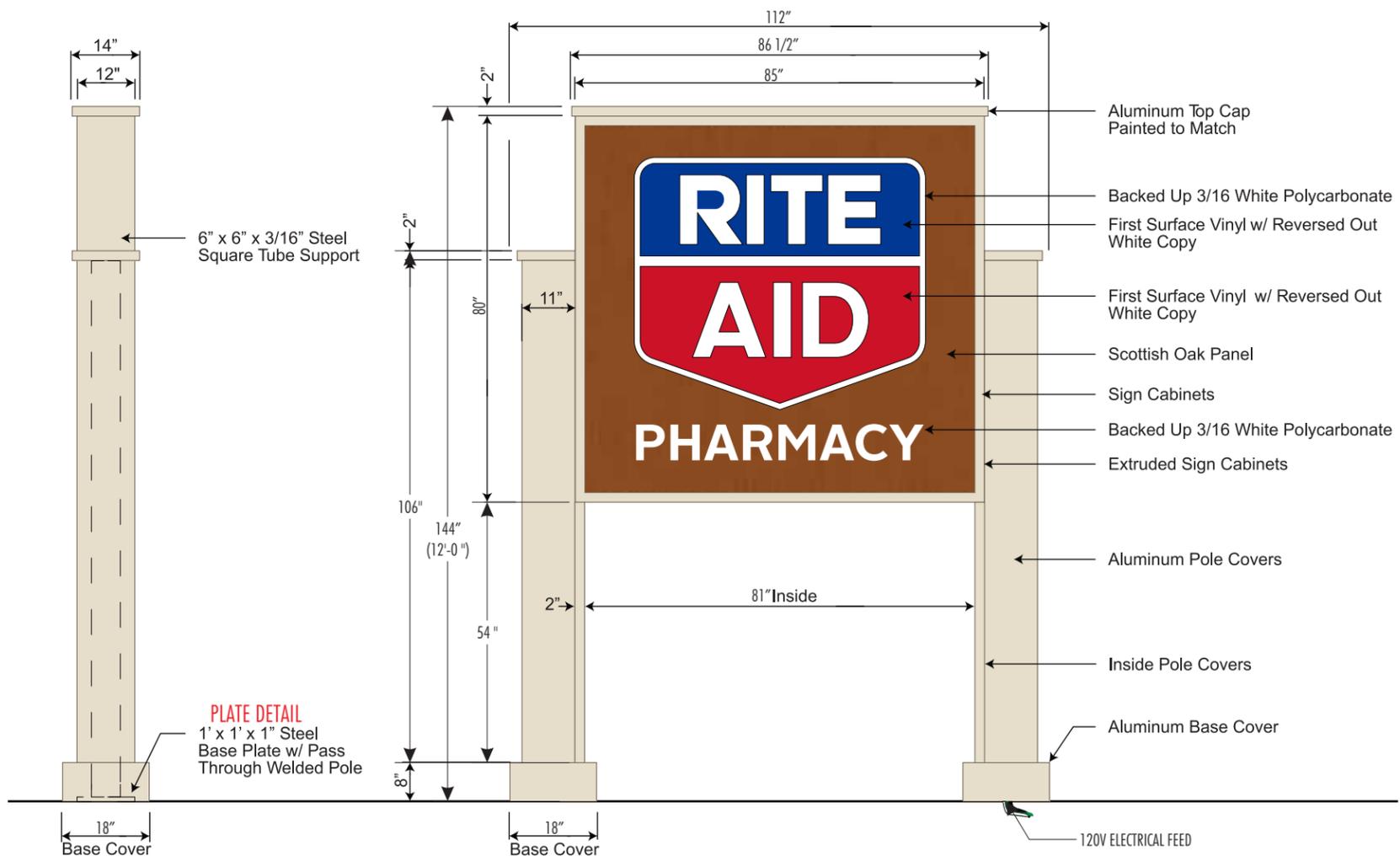
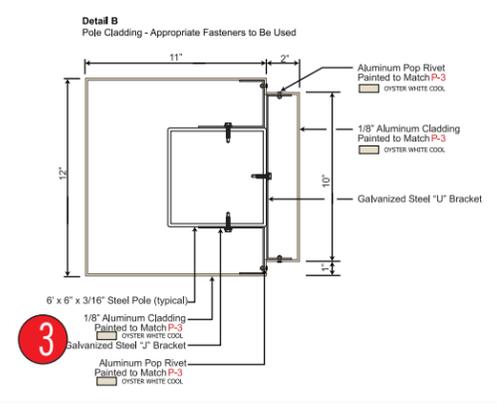
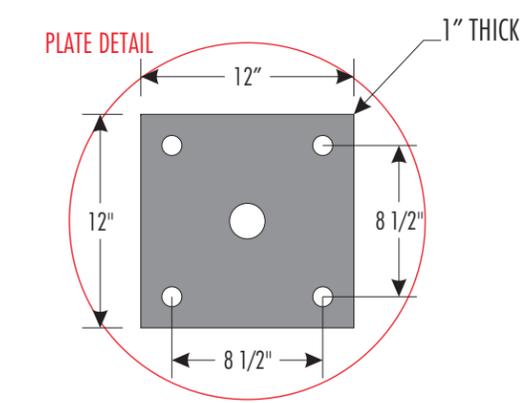
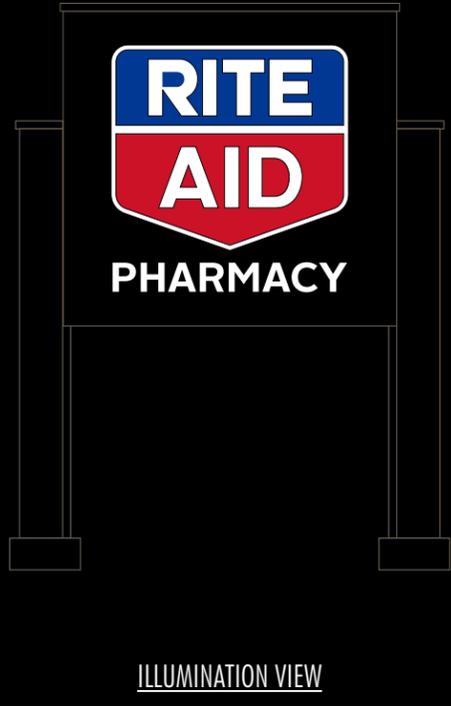
**UL** THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

### GENERAL NOTES

- TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION: RITE AID 12'-0" DF LED IL BTP PYLON SIGN

DRAWN BY: BRIAN S. CHECKED BY:  
CLIENT: ENTERPRISE HOLDINGS  
LOCATION: MULTIPLE LOCATIONS  
QUOTE: DATE: 12/10/15  
DRAWING/PART #: RAP12-LED REV. SHEET #: A 12 OF 42



Please Note: Weights and Measures requirements vary by State, County and Municipality. It is the responsibility of the customer to confirm that these graphics are compliant with all local Regulations, Statutes and Ordinances. Compliancy must be confirmed by the party obtaining the permit. SignResource is not liable for misinterpretation of local Weights and Measures requirements or any rule changes that may occur after the order has been placed. If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.

### APPROVAL SIGNATURE

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

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# PYLON IS TO BE SHIPPED OUT AS 1 PIECE

METHOD OF SERVICE IS TBD BY ENGINEERING

# LED ILLUMINATION

# OPTION #2



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800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 08/30/16 | TL           | BS         |

REVISION DESCRIPTION: INITIAL DRAWING

### PARTS LIST:

| ITEM | DECORATION                         |
|------|------------------------------------|
| A    | PAINT TO MATCH "OYSTER WHITE COOL" |
| B    | ARLON 2500-2870 BLUE               |
| C    | ARLON 2500-2283 RED                |
| D    | WHITE                              |
| E    | SCOTTISH OAK PANEL                 |
| F    | DRIFTWOOD MICA COOL 20 PANEL       |

| MATERIAL LIST |                  |
|---------------|------------------|
| 1             | ALUMINUM         |
| 2             | POLES            |
| 3             | LED ILLUMINATION |
| 4             |                  |
| 5             |                  |

**UL** THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

### GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION: RITE AID 12'-0" DF LED IL BTP PYLON SIGN

DRAWN BY: BRIAN S. CHECKED BY:

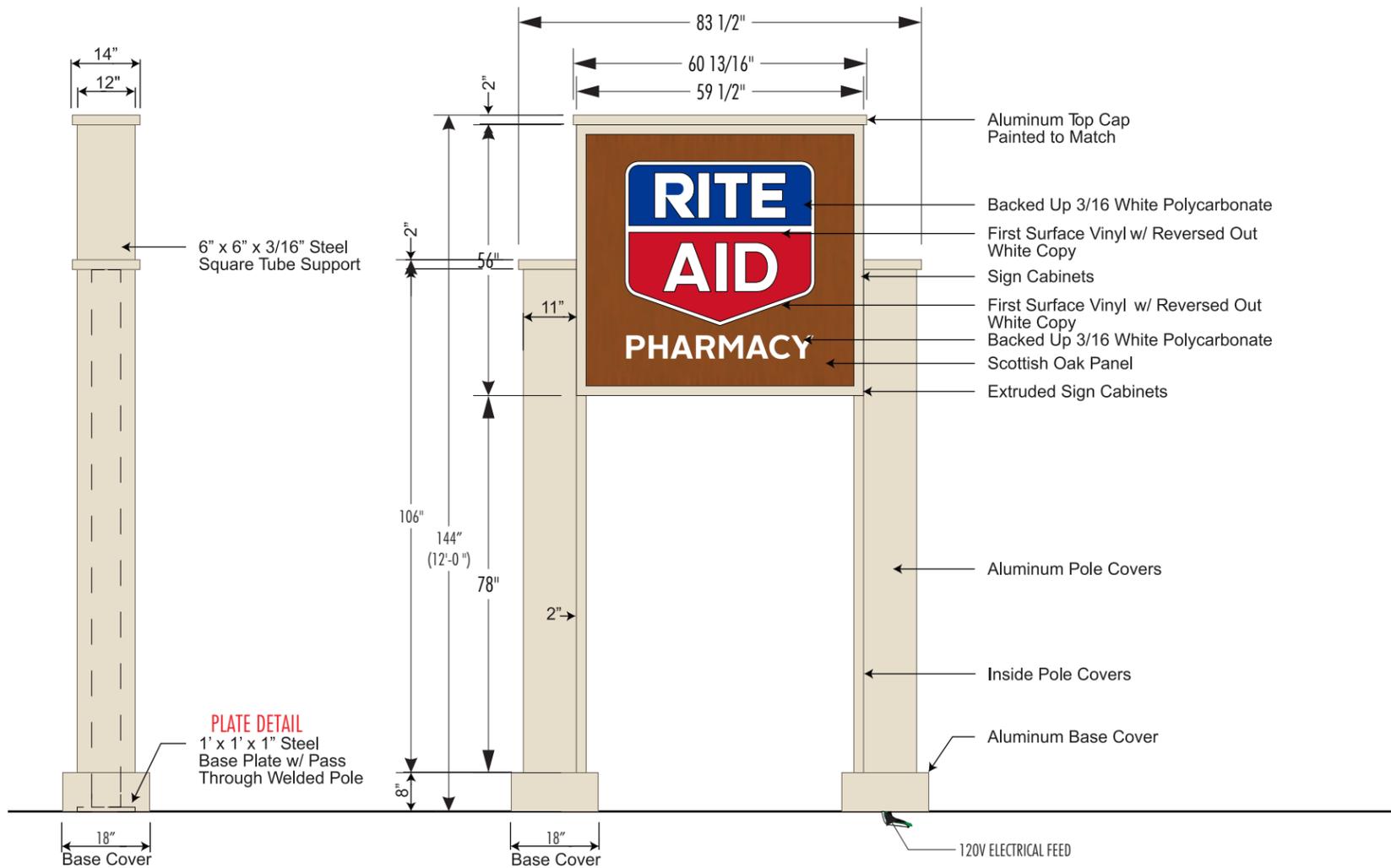
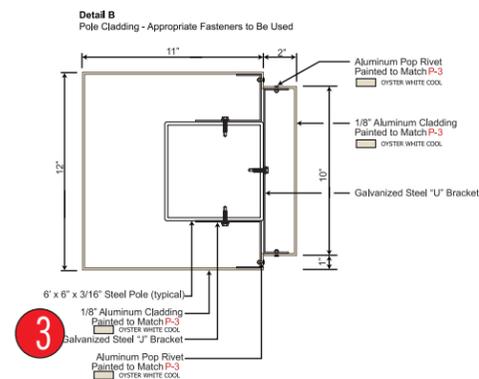
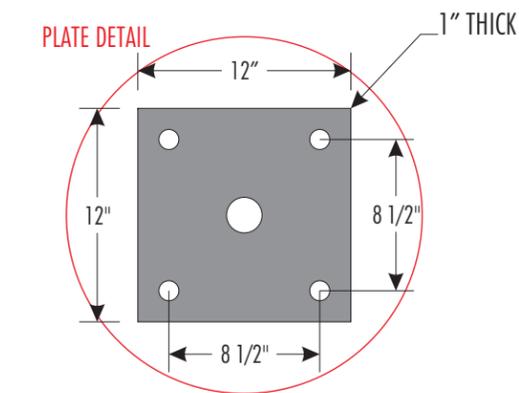
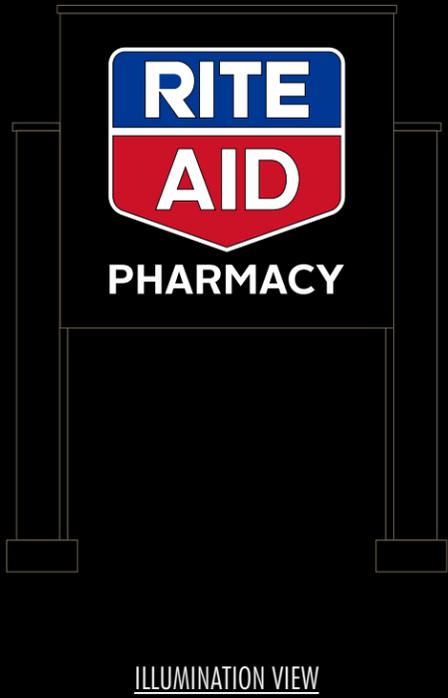
CLIENT: ENTERPRISE HOLDINGS

LOCATION: MULTIPLE LOCATIONS

QUOTE: DATE: 08/30/16

DRAWING/PART # REV. SHEET #  
A 13 OF 42

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### APPROVAL SIGNATURE

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COVERS MUST BE OPAQUE.



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Website: www.signresource.com

**REVISION HISTORY:**

| REV                  | DATE     | REQUESTED BY | UPDATED BY |
|----------------------|----------|--------------|------------|
| A                    | 08/11/15 | AH           | BS         |
| REVISION DESCRIPTION |          |              |            |
| INITIAL DRAWING      |          |              |            |

**PARTS LIST:**

| ITEM | DECORATION                  |
|------|-----------------------------|
| A    | WHITE (OPAQUE)              |
| B    | MATCH Sw6076 TURKISH COFFEE |
| C    | ARLON 2500-2870 BLUE        |
| D    | ARLON 2500-2283 RED         |
| E    |                             |
| F    |                             |

**MATERIAL LIST**

|   |                |
|---|----------------|
| 1 | PANAGRAPHS III |
| 2 |                |
| 3 |                |
| 4 |                |
| 5 |                |

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )  
• GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"  
• CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"  
• ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|             |   |
|-------------|---|
| DESCRIPTION | RITEAID<br>4' x 8' TEMPORARY SF NL<br>BANNER COVER W/GROMMETS |
| VOLTAGE:    | CIRCUIT:      CURRENT:      DESIGN LOAD:                      |
| DRAWN BY:   | CHECKED BY:<br>BRIAN S.                                       |
| CLIENT:     | RITEAID   |
| LOCATION:   |   |

|                |       |          |
|----------------|-------|----------|
| QUOTE:         | DATE: | 08/11/15 |
| DRAWING/PART # | REV.  | SHEET #  |
| RA0408CVR01    | A     | 14 OF 42 |

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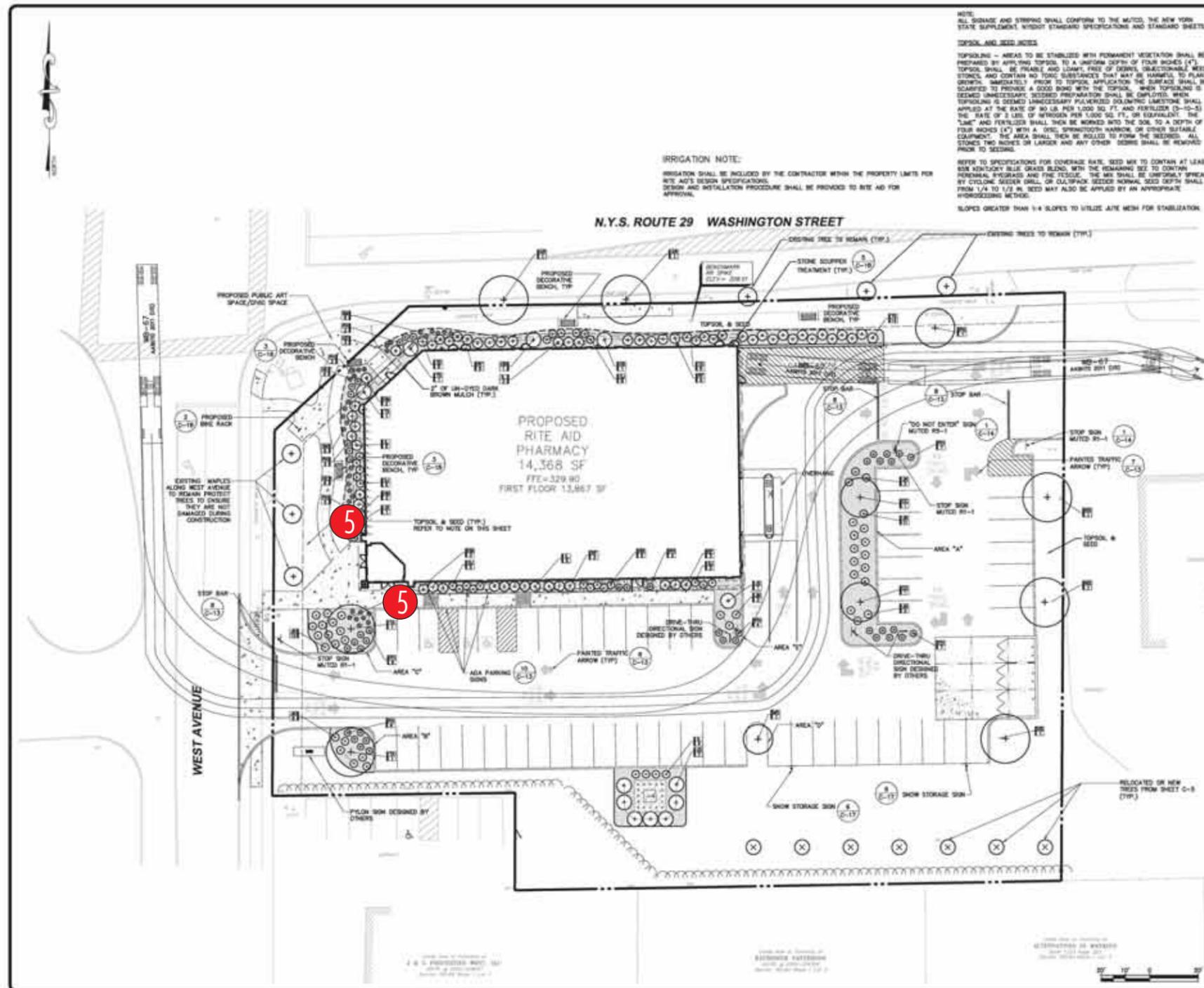


4

32 SF

APPROVAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
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**NOTE:**  
ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE MUTCD, THE NEW YORK STATE SUPPLEMENT, AND/OR STANDARD SPECIFICATIONS AND STANDARD SHEETS.

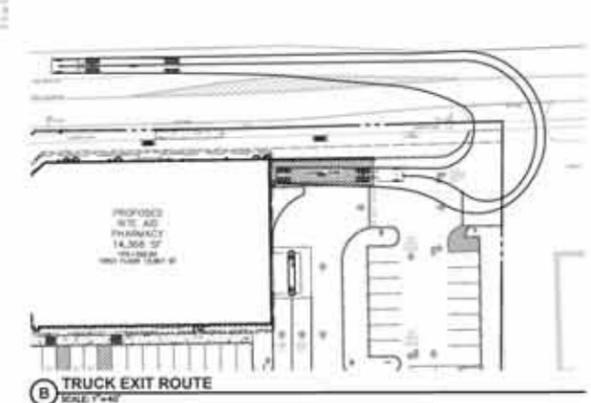
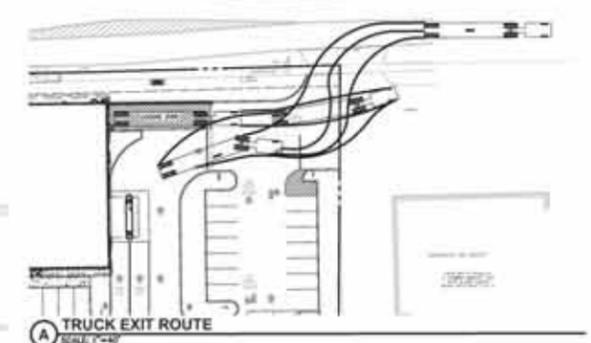
**TOPSOIL AND SEED NOTES:**  
TOPSOILING - AREAS TO BE STABILIZED WITH PERMANENT VEGETATION SHALL BE PREPARED BY APPLYING TOPSOIL TO A UNIFORM DEPTH OF FOUR RICHES (4"). TOPSOIL SHALL BE FRANKLIN AND LOUISIANA FREE OF DEBRIS, UNDESIRABLE WEEDS, STONES, AND CONTAIN NO TOXIC SUBSTANCES THAT MAY BE HARMFUL TO PLANT GROWTH. IMMEDIATELY PRIOR TO TOPSOIL APPLICATION THE SURFACE SHALL BE SCARIFIED TO PROVIDE A GOOD BOND WITH THE TOPSOIL. WHEN TOPSOILING IS SEEMED UNNECESSARY, SEEDING PREPARATION SHALL BE EMPLOYED. WHEN TOPSOILING IS DEEMED UNNECESSARY, POLYMERIZED SOLOMATIC LIMEZONE SHALL BE APPLIED AT THE RATE OF 80 LB. PER 1,000 SQ. FT. AND FERTILIZER (3-10-5) AT THE RATE OF 2 LB. OF NITROGEN PER 1,000 SQ. FT. OR EQUIVALENT. THE "LIME" AND FERTILIZER SHALL THEN BE WORKED INTO THE SOIL TO A DEPTH OF FOUR RICHES (4") WITH A DISC SPRINGTOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE AREA SHALL THEN BE ROLLED TO FIRM THE SEEDS. ALL STONES TWO RICHES OR LARGER AND ANY OTHER DEBRIS SHALL BE REMOVED PRIOR TO SEEDING.

**IRRIGATION NOTE:**  
IRRIGATION SHALL BE INCLUDED BY THE CONTRACTOR WITHIN THE PROPERTY LIMITS FOR RITE AID'S DESIGN SPECIFICATIONS. DESIGN AND INSTALLATION PROCEDURE SHALL BE PROVIDED TO RITE AID FOR APPROVAL.

REFER TO SPECIFICATIONS FOR COVERAGE RATE. SEED MIX TO CONTAIN AT LEAST 80% KENTUCKY BLUE GRASS SEEDS, WITH THE REMAINING 20% TO CONTAIN PERENNIAL RYEGRASS AND FINE FESCUE. THE MIX SHALL BE UNIFORMLY SPREAD BY CYCLOPE SEEDER OR EQUIVALENT. SEED DEPTH SHALL BE FROM 1/4 TO 1/2 IN. SEED MIX ALSO BE APPLIED BY AN APPROPRIATE HYDROSEEDING METHOD.

SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |                  |
|----------------------|-----|-----------------------------------|--------------------------|------------------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE / SPACING   |
| TREES                |     |                                   |                          |                  |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL.          |
| CC                   | 2   | CERIS SARRACENSIS                 | EASTERN REDBUD           | 2" CAL.          |
| WR                   | 1   | WALNUS 'ADONIS'                   | FLORING BRAMBLE          | 2" CAL.          |
| WB                   | 3   | WYTA ELASTICA                     | BLACK BIRCH              | 2" CAL. 30' O.C. |
| FR                   | 1   | FRAXINUS                          | WHITE SPRUCE             | 8-10'            |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7"             |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL.          |
| SHRUBS               |     |                                   |                          |                  |
| DR                   | 2   | DRACOPANUS PTERIS 'BOLEZANO'      | JAPANESE FALSECYPRESS    | 4'-5" 8' O.C.    |
| HM                   | 2   | HYDRANGEA PANGOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" 4' O.C.  |
| CL                   | 17  | CLERODENDRON 'IMPACTA'            | IMPACTA BERRY            | 24"-30" 4' O.C.  |
| JA                   | 28  | JUNIPERUS PROCUMBENS 'NANA'       | SWAMP GARDEN JAMPER      | 3 GAL. 8' O.C.   |
| JS                   | 2   | JUNIPERUS SCOPULORUM 'MOON BLUE'  | MOON BLUE JUNIPER        | 3'-4" 8' O.C.    |
| RF                   | 16  | RHOXODENDRON 'YOUNGSHAW'S WHITE'  | RHOXODENDRON             | 18"-24" 4' O.C.  |
| WR                   | 2   | WYTA 'RADIANT'                    | DOUBLE KNOCKOUT ROSE     | 3 GAL. 8' O.C.   |
| SP                   | 16  | SPREA 'LITTLE PRINCESS'           | LITTLE PRINCESS SPREA    | 3 GAL. 8' O.C.   |
| TS                   | 16  | TRIALIS X NEIDA 'YONOPONY'        | DOCKIE SPREADING VEW     | 3 GAL. 4' O.C.   |
| TS                   | 2   | TRIALIA OOOOONIALIS 'EMERALD'     | EMERALD GREEN ARBORVITAE | 5'-6" 8' O.C.    |
| PERENNIALS & GRASSES |     |                                   |                          |                  |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAXILY                   | 1 GAL. 8' O.C.   |
| PH                   | 40  | PERNETIUM 'SANGRE'                | SWAMP FOUNTAIN GRASS     | 2 GAL. 30" O.C.  |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL. 8' O.C.   |



PD # 14.057

APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION

ADOPTED \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| No.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 12/23/15 | REVISION TO ARCHITECTURE, LAYOUT AND GRADING          | AWL | JWE         | 12/23/15 |
| 3                     | 12/23/15 | REVISIONS   | AWL | JWE         | 12/23/15 |
| 4                     | 12/23/15 | REVISIONS   | AWL | JWE         | 12/23/15 |

THE ALTERATION OF THIS MATERIAL SHALL BE UNLESS DONE UNDER THE DIRECTION OF A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT FOR AN ARCHITECT OR FOR AN ENGINEER OR LANDSCAPE ARCHITECT. A LANDSCAPE ARCHITECT IS A VIOLATION OF THE STATE EDUCATION LAW AND/OR REGULATION AND IS A CLASS 'B' VIOLATION.

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: RA #581  
DATE: 08/30/16  
**C-10**



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800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com



1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
ARCHITECTURAL ELEVATIONS OF A RITE AID  
PHARMACY, 6135 DISTRICT BLVD.,  
MAYWOOD, CALIFORNIA, 90270  
APPROXIMATE 2015-2016

ARCHITECT: KIM  
LANDSCAPE ARCHITECT: JAMES  
INTERIOR DESIGNER: JAMES  
PHOTOGRAPHER: JAMES



**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 04/07/15 | AH           | CM         |

REVISION DESCRIPTION  
INITIAL DRAWING

**PARTS LIST:**

| ITEM | DECORATION                  |
|------|-----------------------------|
| A    | VINYL 3M 3630-59 DARK BROWN |
| B    |                             |
| C    |                             |
| D    |                             |
| E    |                             |
| F    |                             |

**MATERIAL LIST**

|   |                     |
|---|---------------------|
| 1 | CLEAR PLASTIC PANEL |
| 2 | VINYL COPY          |
| 3 |                     |
| 4 |                     |
| 5 |                     |

QTY: 1

FIRST SURFACE DECORATION

SCALE 1/2" : 1'-0"

**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|                |  |
|----------------|--|
| DESCRIPTION    | RITEAID<br>1' X 5' SF NL<br>LEXAN PANEL SIGN |
| VOLTAGE:       | CIRCUIT: CURRENT: DESIGN LOAD:               |
| DRAWN BY:      | CHECKED BY:<br>CORY M.                       |
| CLIENT:        | RITEAID                                      |
| LOCATION:      | MULTIPLE                                     |
| QUOTE:         | 216587 DATE: 04/07/2015                      |
| DRAWING/PART # | REV. SHEET #<br>RA0105LEX A 17 OF 42         |

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5

SCALE: 1 1/2" = 1'-0"

APPROVAL SIGNATURE

DATE

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

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If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.





1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 ARCHITECTURAL ELEVATIONS OF A RITE AID  
 PHARMACY, 6135 DISTRICT BLVD.,  
 MAYWOOD, CALIFORNIA, 90270  
 PREPARED BY: SIGN RESOURCE  
 800.423.4283 • 323.560.7143  
 WWW.SIGNRESOURCE.COM

# NON-ILLUMINATED

REQUIRED INFO: METHOD OF SERVICE IS REMOVAL OF FACE



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

### REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 08/30/16 | TL           | BS         |

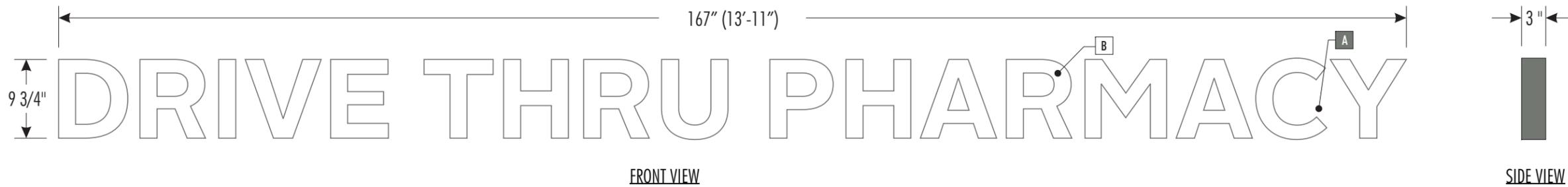
REVISION DESCRIPTION: INITIAL DRAWING

### PARTS LIST:

| ITEM | DECORATION             |
|------|------------------------|
| A    | PAINT TO MATCH PMS 424 |
| B    | WHITE                  |
| C    |                        |
| D    |                        |
| E    |                        |
| F    |                        |

| MATERIAL LIST |        |
|---------------|--------|
| 1             | SINTRA |
| 2             |        |
| 3             |        |
| 4             |        |
| 5             |        |



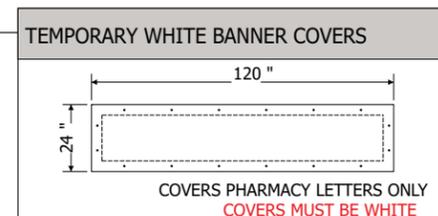
### FIRST SURFACE DECORATION

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

### GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

PART #: RA0210CVR



6

APPROVAL SIGNATURE

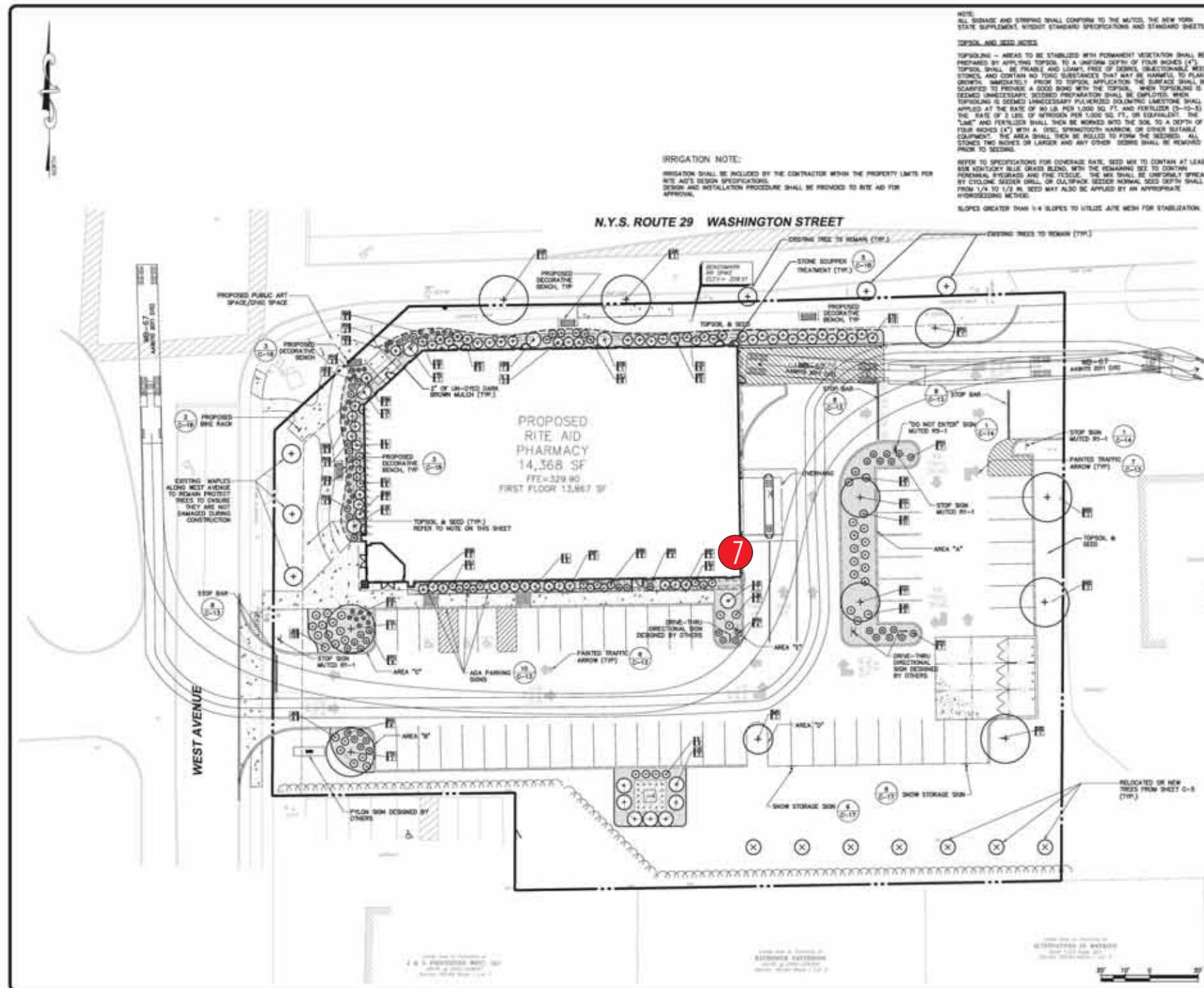
DATE

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

Please Note: Weights and Measures requirements vary by State, County and Municipality. It is the responsibility of the customer to confirm that these graphics are compliant with all local Regulations, Statues and Ordinances. Compliancy must be confirmed by the party obtaining the permit. SignResource is not liable for misinterpretation of local Weights and Measures requirements or any rule changes that may occur after the order has been placed. If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.

|  |             |          |              |
|--|-------------|----------|--------------|
| DESCRIPTION                                      |             |          |              |
| RITEAID<br>9 3/4" X 167" SF NL<br>SINTRA LETTERS |             |          |              |
| VOLTAGE:   | CIRCUIT:    | CURRENT: | DESIGN LOAD: |
| DRAWN BY:  | CHECKED BY: |          |              |
| BRIAN S.   |             |          |              |
| CLIENT:  | RITEAID     |          |              |
| LOCATION:  |             |          |              |
| QUOTE:   | DATE:       | 08/30/16 |              |
| DRAWING/PART #                                   | REV.        | SHEET #  |              |
|  | A           | 20 OF 42 |              |

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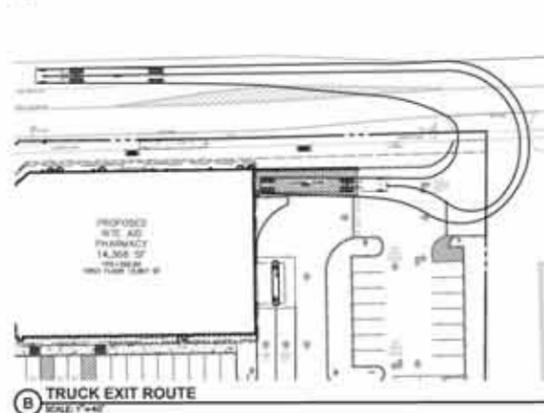
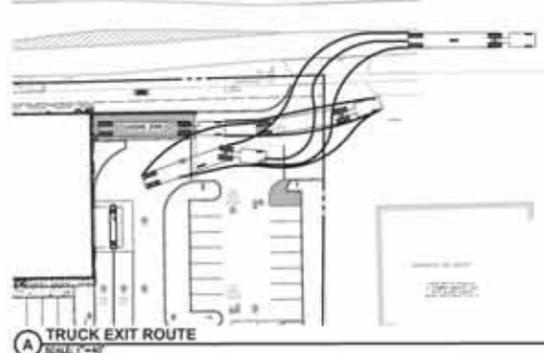
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SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |         |
|----------------------|-----|-----------------------------------|--------------------------|---------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE    |
| TREES                |     |                                   |                          |         |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL. |
| CC                   | 2   | CERIS SARRACENSIS                 | EASTERN REDBUD           | 2" CAL. |
| WR                   | 1   | WALNUS 'ADONIS'                   | FLORING GRAMMIFL         | 2" CAL. |
| WB                   | 3   | WYTA ELIATICA                     | BLACK BIRCH              | 2" CAL. |
| FR                   | 1   | FRAXINUS                          | WHITE SPRUCE             | 8-10'   |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7"    |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL. |
| SHRUBS               |     |                                   |                          |         |
| DR                   | 2   | DRACOPANUS PERSICA 'BOLEZANO'     | JAPANESE FALSECYPRESS    | 4'-5"   |
| HM                   | 2   | HYDRANGEA PANGOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" |
| CL                   | 17  | CLERODENDRON 'COMPACTA'           | COMPACT BERRY            | 24"-30" |
| JA                   | 28  | JUNIPERUS PROCUMBENS 'NANA'       | SWAMP GARDEN JANIPE      | 3 GAL.  |
| JS                   | 2   | JUNIPERUS SCOPULORUM 'MOON BLUE'  | MOON BLUE JUNIPER        | 3'-4"   |
| RF                   | 16  | RHOXODENDRON 'YOUNGSHAW'S WHITE'  | 'RHODOENDRON             | 18"-24" |
| WR                   | 2   | WYTA 'RADIANT'                    | DOUBLE KNOCKOUT ROSE     | 3 GAL.  |
| SP                   | 16  | SPYREA 'LITTLE PRINCESS'          | LITTLE PRINCESS SPYREA   | 3 GAL.  |
| TS                   | 16  | TRIALIA X MEDIA 'YONOPHY'         | DOCKIE SPREADING YEW     | 3 GAL.  |
| TS                   | 2   | TRIALIA OOOOENTALIS 'EMERALD'     | EMERALD GREEN ARBORVITAE | 5'-6"   |
| PERENNIALS & GRASSES |     |                                   |                          |         |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAXFLY                   | 1 GAL.  |
| PH                   | 40  | PERENNIAL 'SARIEL'                | SWAMP FOUNTAIN GRASS     | 2 GAL.  |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL.  |



PD # 14.057

APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION

ADOPTED \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| No.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 2/3/16   | REVISION TO ARCHITECTURE, LAYOUT AND GRADING          | AWL | JWE         | 2/3/16   |
| 3                     | 2/23/16  | REVISIONS   | AWL | JWE         | 2/23/16  |

THE ALTERATION OF THIS MATERIAL IN ANY MANNER, UNLESS DONE UNDER THE DIRECTION OF A QUALIFIED PROFESSIONAL ENGINEER OR ARCHITECT FOR AN ARCHITECT OR FOR AN ENGINEER OR LANDSCAPE ARCHITECT, IS A VIOLATION OF THE STATE EDUCATION LAW AND/OR REGULATION AND IS A CLASS "B" MISDEMEANOR.

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: SAJ-PRJ-15-004-01  
DATE: 08/30/16  
**C-10**



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com



1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 6135 DISTRICT BLVD  
 MAYWOOD, CA 90270  
 800.423.4283 • FAX 323.560.7143  
 WWW.SIGNRESOURCE.COM

NON-ILLUMINATED DT CANOPY SIGNS QTY:1 Each

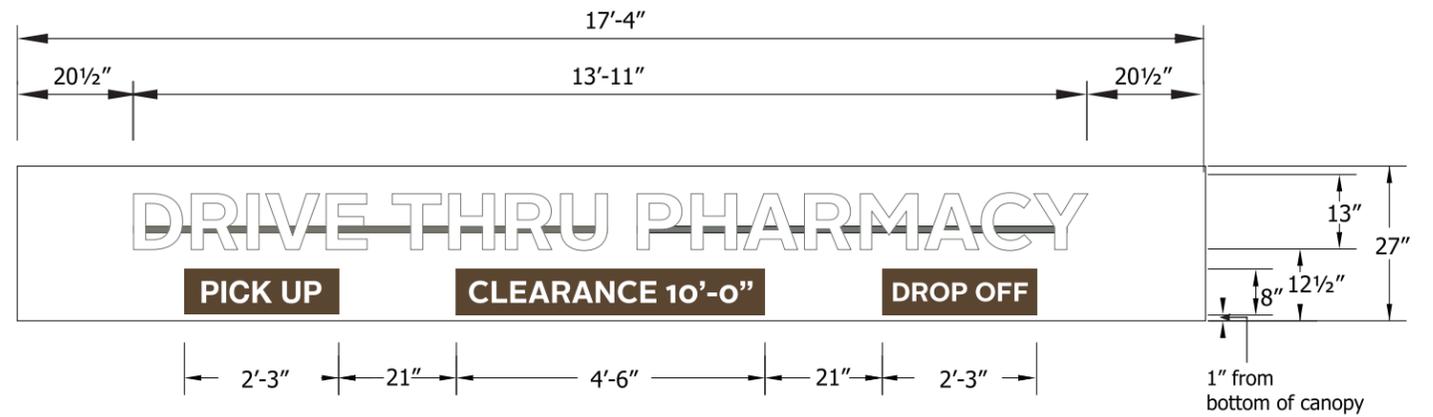
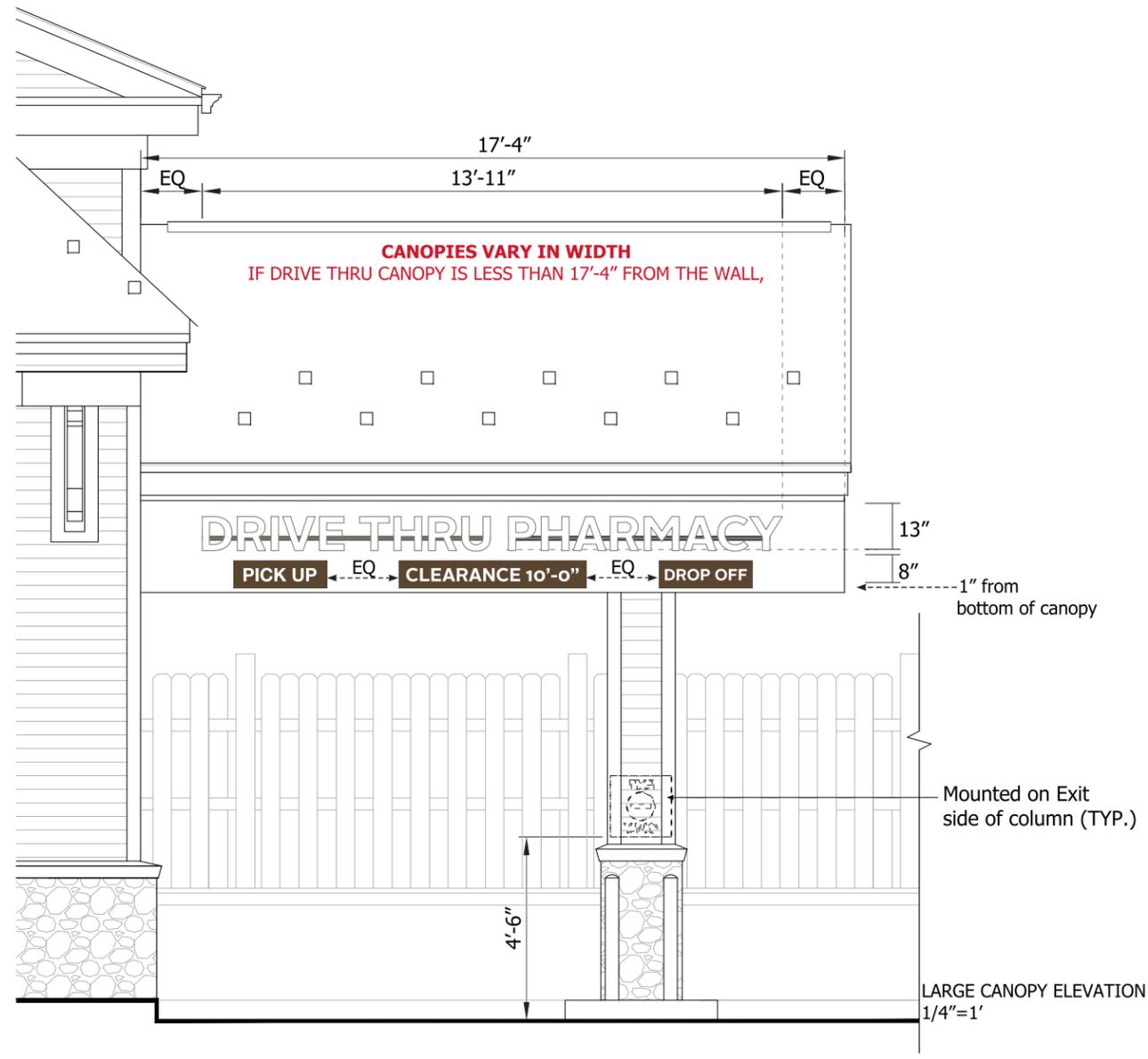
54" (4'-6")

# RA0854APC10

7

CLEARANCE 10'-0"

3 SQ FT



SMALL CANOPY ELEVATION  
NTS

CANOPIES VARY IN WIDTH  
IF DRIVE THRU CANOPY IS LESS THAN  
17'-4" FROM THE WALL,

COLOR/FINISHES

- P-1 MP 42-202 WHITE
- P-2 RUSTOLEUM 9109 WHITE PRIMER
- P-3 TO MATCH BM 996 ASHEN TAN
- P-4 TO MATCH BM 2108-20 SIERRA SPRUCE
- V-1 ARLON 2500-2870 BLUE
- V-2 ARLON 2500-2283 RED
- V-3 CALON 102 WHITE LOW TAC OPAQUE
- V-4 VINYL 3M-3630-59 DARK BROWN
- V-5 VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
- V-6 VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
- V-7 VINYL TO MATCH BM 0C-41 FRENCH CANVAS





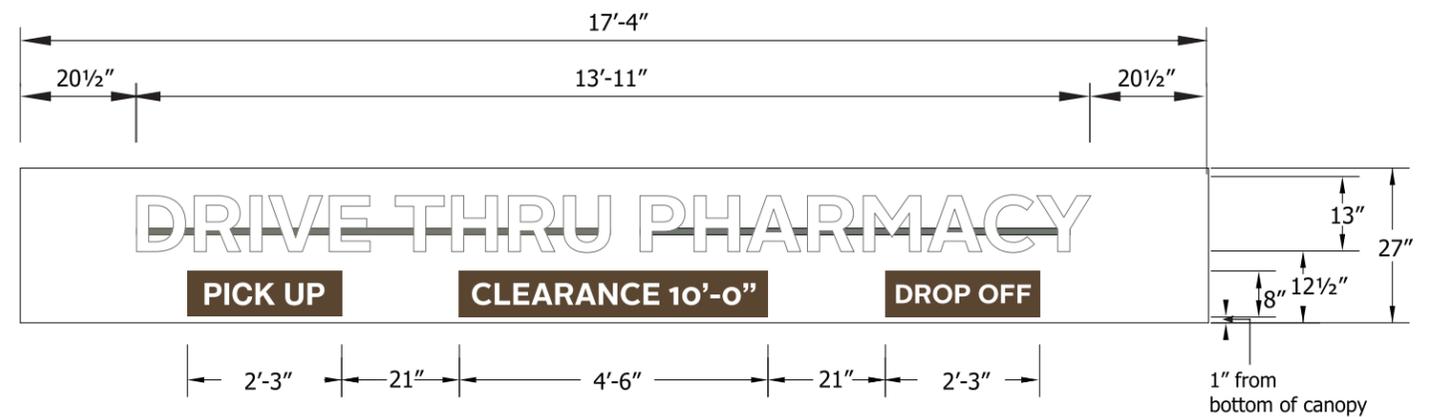
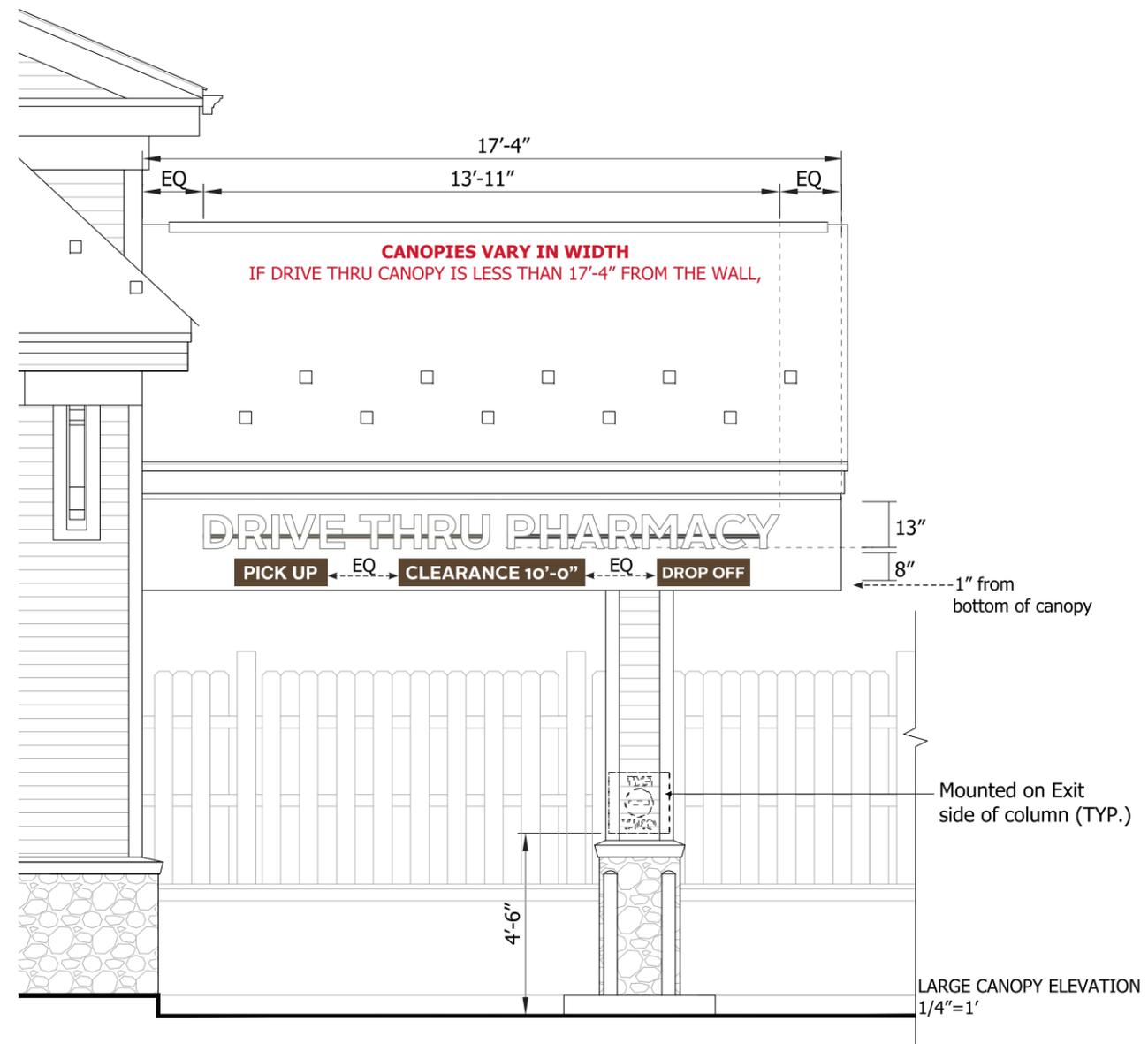
Scale 3/8" = 1' # RA0827APPU

8

27" (2'-3")

PICK UP

1.5 SQ FT



**COLOR/FINISHES**

- P-1 MP 42-202 WHITE
- P-2 RUSTOLEUM 9109 WHITE PRIMER
- P-3 TO MATCH BM 996 ASHEN TAN
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SMALL CANOPY ELEVATION  
NTS

CANOPIES VARY IN WIDTH  
IF DRIVE THRU CANOPY IS LESS THAN  
17'-4" FROM THE WALL,





1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



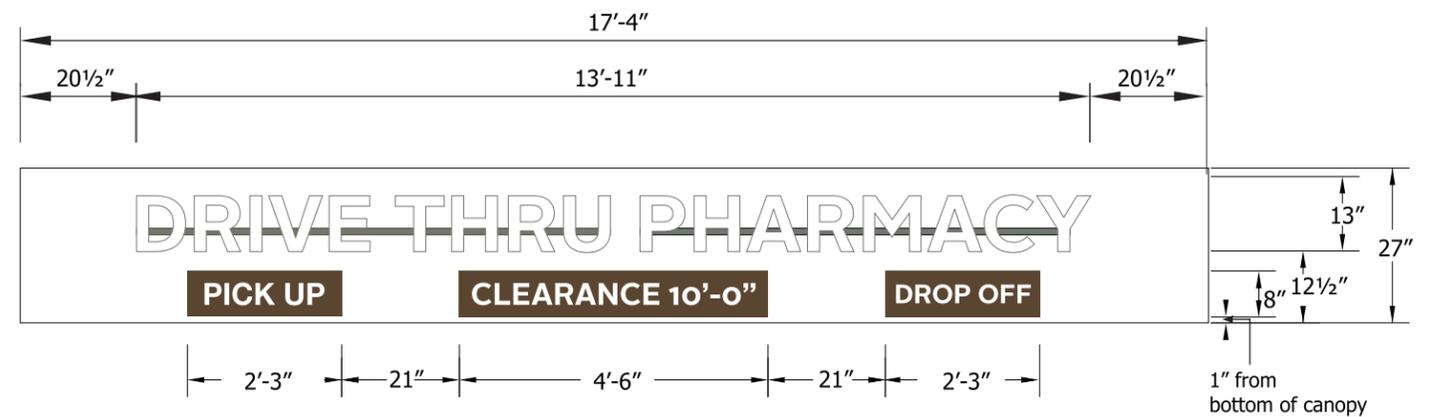
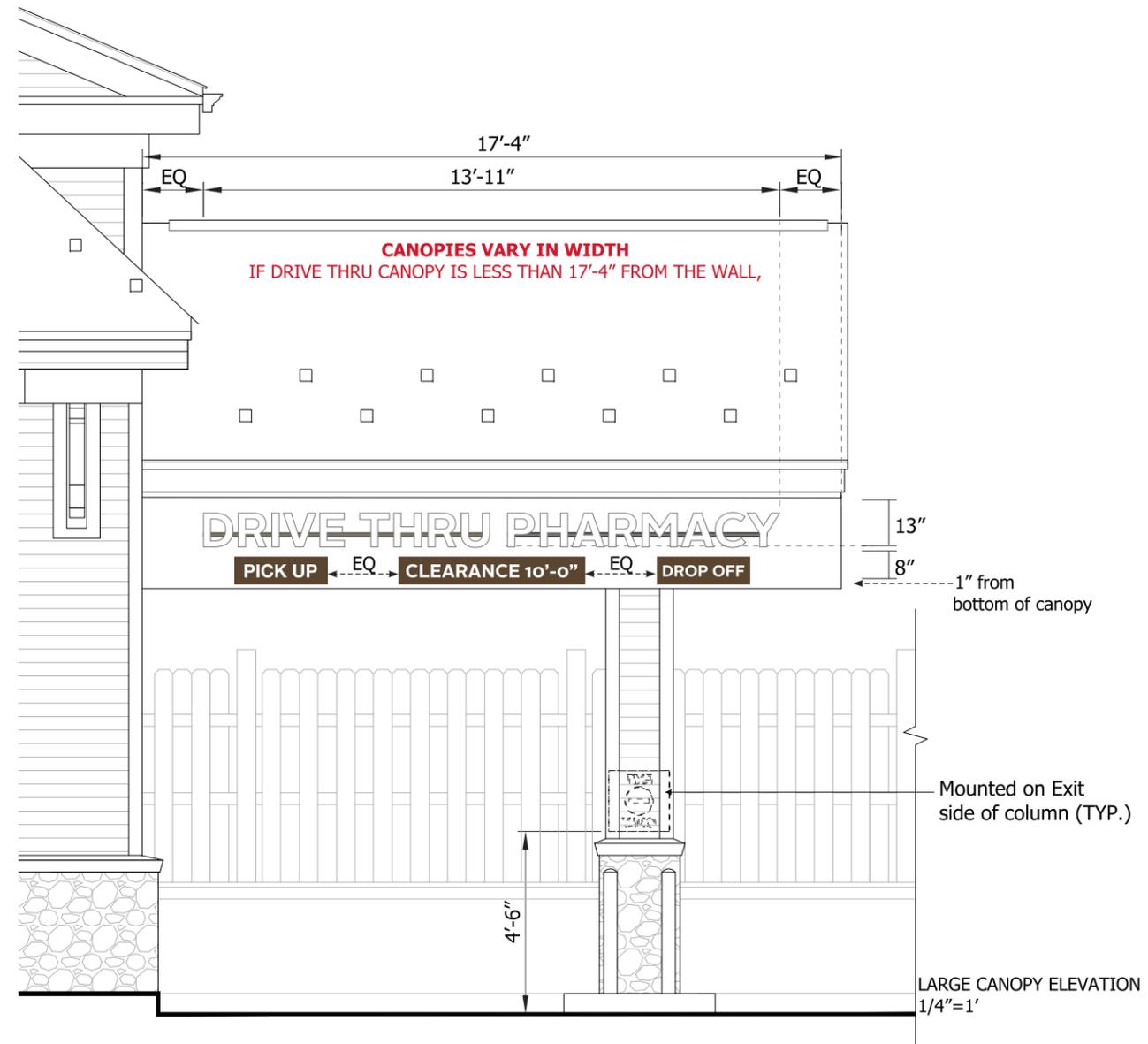
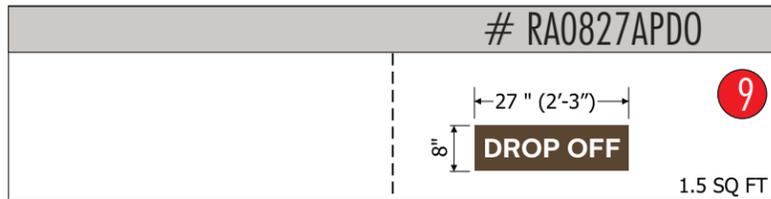
3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 6135 DISTRICT BLVD  
 MAYWOOD, CA 90270  
 800.423.4283 • FAX 323.560.7143  
 WWW.SIGNRESOURCE.COM



**COLOR/FINISHES**

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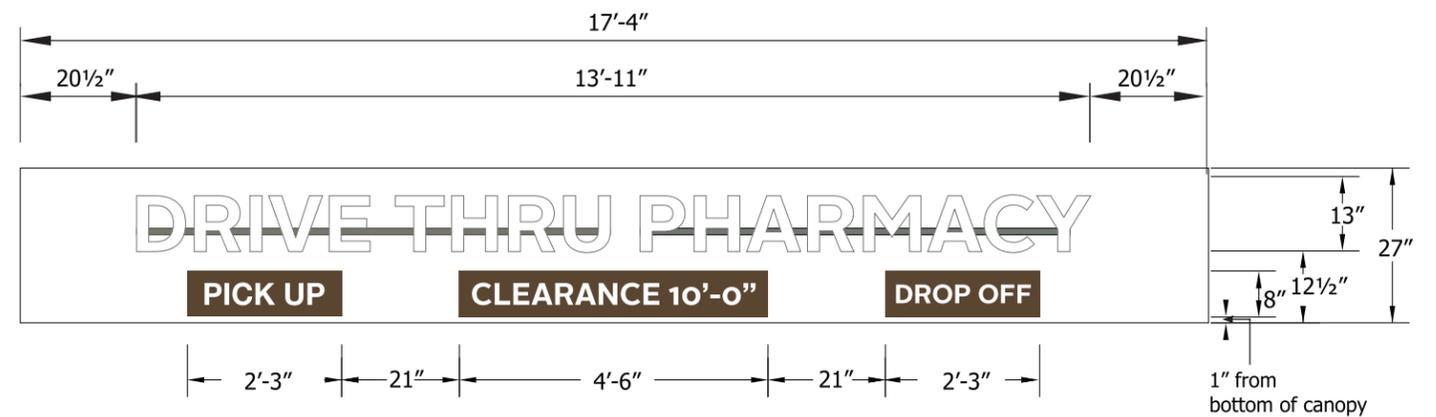
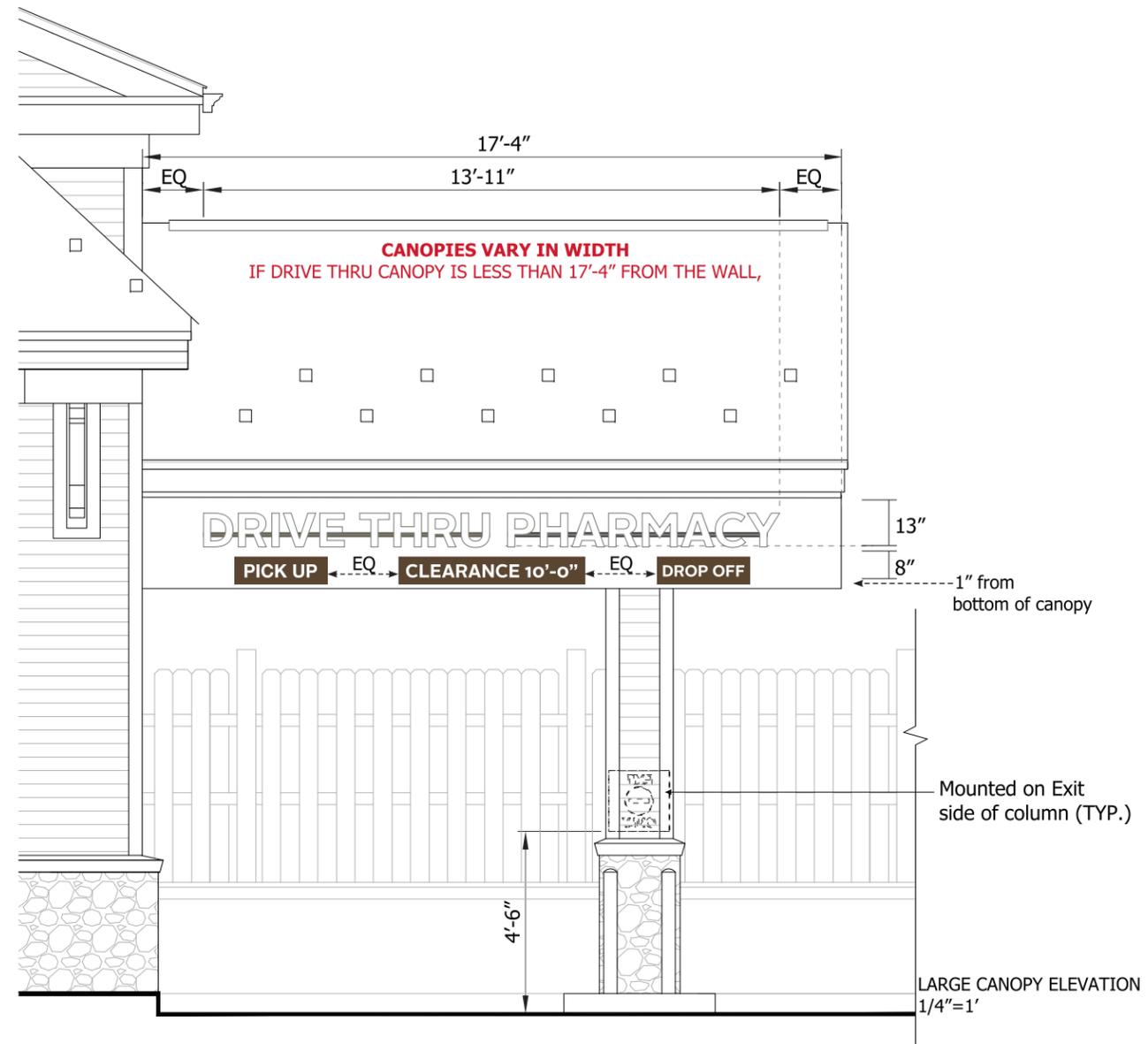
**PROPOSED RITE AID**  
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 MAYWOOD, CA 90270  
 800.423.4283 • FAX 323.560.7143  
 WWW.RITEAID.COM

Scale 3/8" = 1' # RA0827APEO

**10** ← 27" (2'-3") →

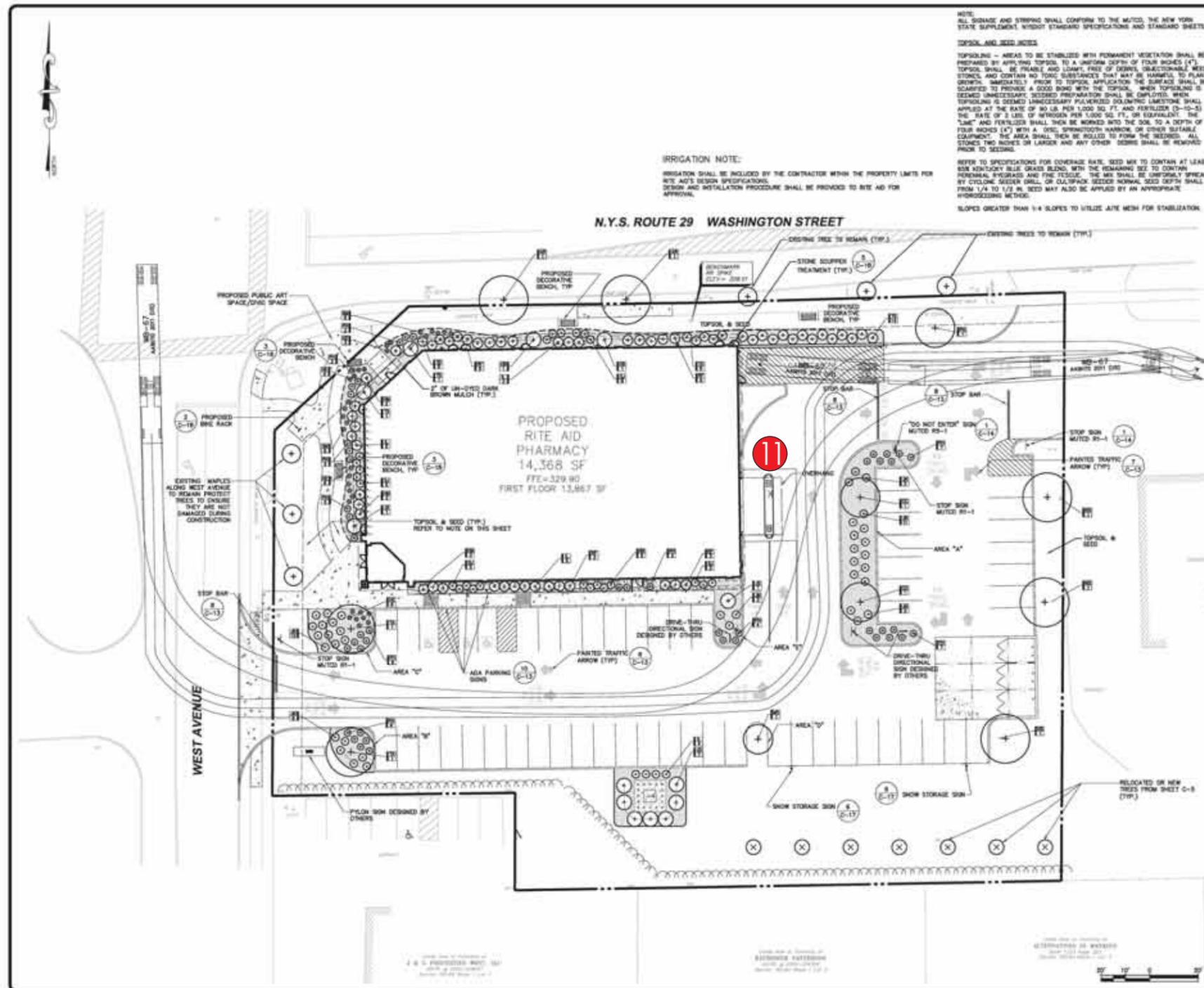
8" **EXIT ONLY**

1.5 SQ FT



**COLOR/FINISHES**

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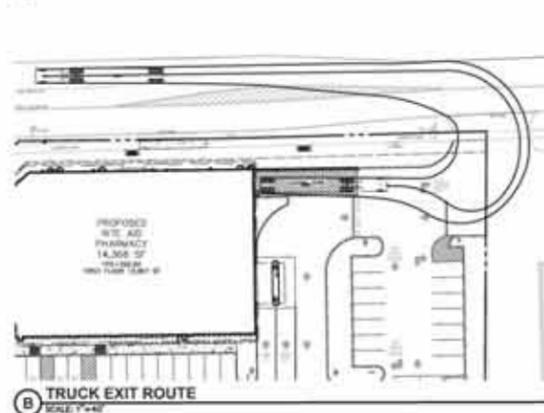
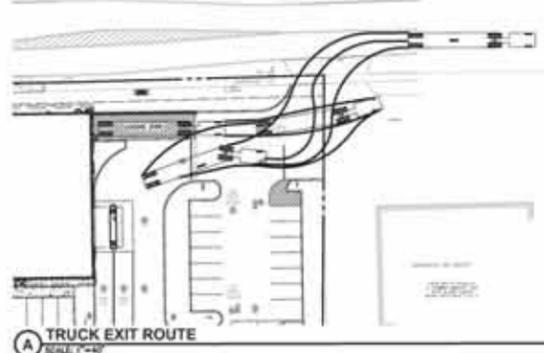
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SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |         |
|----------------------|-----|-----------------------------------|--------------------------|---------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE    |
| TREES                |     |                                   |                          |         |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL. |
| CC                   | 2   | CERIS SARRACENSIS                 | EASTERN REDBUD           | 2" CAL. |
| FR                   | 1   | FRAXINUS 'AMOROSA'                | FLORING CRABAPPLE        | 2" CAL. |
| HS                   | 3   | HYDRANGEA                         | BLACK ICE                | 2" CAL. |
| PI                   | 1   | PIRUS BLANCA                      | WHITE SPRUCE             | 8-10'   |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7"    |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL. |
| SHRUBS               |     |                                   |                          |         |
| DR                   | 2   | DRACOPANUS PUMPERNA 'BOLEZANO'    | JAPANESE FALSECYPRESS    | 4'-5"   |
| HM                   | 2   | HYDRANGEA PANCOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" |
| IL                   | 17  | ILEX GLABRA 'COMPACTA'            | COMPACT HOLEBERRY        | 24"-30" |
| JA                   | 28  | JUNIPERUS PROCUMBENS 'NANA'       | SWAMP GARDEN JANIPE      | 3 GAL.  |
| JS                   | 2   | JUNIPERUS SCOPULORUM 'MOON BLUE'  | MOON BLUE JUNIPER        | 3'-4"   |
| RF                   | 16  | RHOXODENDRON 'YOUNGSHAW'S WHITE'  | 'RHODOENDRON             | 18"-24" |
| RR                   | 2   | ROSA 'RADRAZ'                     | DOUBLE KNOCKOUT ROSE     | 3 GAL.  |
| SI                   | 16  | SPIREA JAPONICA 'LITTLE PRINCESS' | LITTLE PRINCESS SPIREA   | 3 GAL.  |
| TD                   | 16  | TAXUS X NEDA 'YONOPHYM'           | DOCKIE SPREADING YEW     | 3 GAL.  |
| TS                   | 2   | TRIALIA OOOOONIALIS 'EMERALD'     | EMERALD GREEN ARBORVITAE | 5'-6"   |
| PERENNIALS & GRASSES |     |                                   |                          |         |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAFFLY                   | 1 GAL.  |
| PH                   | 40  | PERNETIUM 'SANGEL'                | SWAMP FOUNTAIN GRASS     | 2 GAL.  |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL.  |



PD # 14.057  
APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION  
ADOPTED \_\_\_\_\_  
CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| NO.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 2/3/16   | REVISION TO ARCHITECTURE, LAYOUT AND GRADING          | AWL | JWE         | 2/3/16   |
| 3                     | 2/23/16  | REVISIONS   | AWL | JWE         | 2/23/16  |

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**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: SAJ-PRJ-16-004-01  
DATE: 08/30/16  
**C-10**



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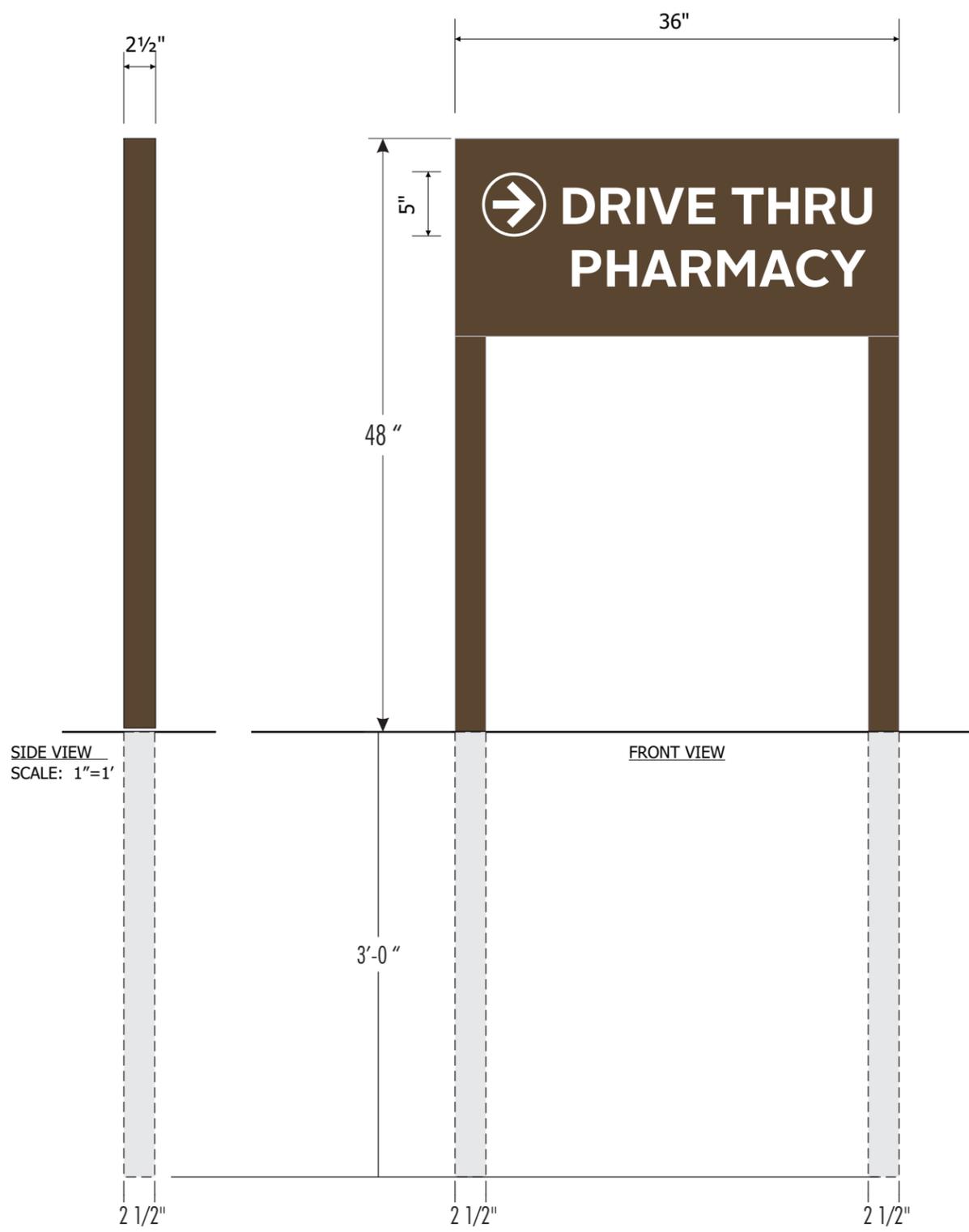






D/F DIRECTIONAL SIGN  
NON-ILLUMINATED 4 SQ FT

**SignResource**  
IDENTITY GROUP  
6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com



BACK VIEW  
SCALE: 1"=1'

- Panels**  
.080 flat aluminum panels  
PAINTED Sw6076 TURKISH COFFEE
- Copy**  
White Reflective vinyl copy  
WHITE REFLECTIVE VINYL 3M480-10
- Posts**  
PAINTED Sw6076 TURKISH COFFEE

**TEMPORARY VINYL COVERS**

| NO COPY  | QTY:<br>As Needed |
|--|-------------------|
|  |                   |
| VINYL TO MATCH SW6076 TURKISH COFFEE<br>LOW TAC OPAQUE VINYL |                   |

**REVISION HISTORY:**

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/10/16 | TL           | BS         |

REVISION DESCRIPTION INITIAL DRAWING

**PARTS LIST:**

| ITEM | DECORATION                               |
|------|--|
| A    | VINYL (TO MATCH 'SW6076 TURKISH COFFEE') |
| B    | WHITE REFLECTIVE VINYL 3M480-10          |
| C    |  |
| D    |  |
| E    |  |
| F    |  |

**MATERIAL LIST**

|   |                      |
|---|----------------------|
| 1 | 1/8" ALUMINUM PANEL  |
| 2 | LOW-TAC OPAQUE VINYL |
| 3 |                      |
| 4 |                      |
| 5 |                      |

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

| DESCRIPTION  |
|--|
| RITEAID<br>16" x 36" DF NL<br>DIRECTIONAL SIGNS        |
| VOLTAGE:      CIRCUIT:      CURRENT:      DESIGN LOAD: |
| DRAWN BY:      CHECKED BY:                             |
| BRIAN S.   |
| CLIENT:      RITEAID                                   |
| LOCATION:  |
| QUOTE:      DATE:      05/10/16                        |
| DRAWING/PART #      REV      SHEET #                   |
| RAV0035      A      37 OF 42                           |

SCALE 1:12  
4 SF

12

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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D/F DIRECTIONAL SIGN  
NON-ILLUMINATED 4 SQ FT



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com

REVISION HISTORY:

| REV | DATE     | REQUESTED BY | UPDATED BY |
|-----|----------|--------------|------------|
| A   | 05/10/16 | TL           | BS         |

REVISION DESCRIPTION  
INITIAL DRAWING

PARTS LIST:

| ITEM | DECORATION                               |
|------|--|
| A    | VINYL (TO MATCH 'SW6076 TURKISH COFFEE') |
| B    | WHITE REFLECTIVE VINYL 3M480-10          |
| C    |  |
| D    |  |
| E    |  |
| F    |  |

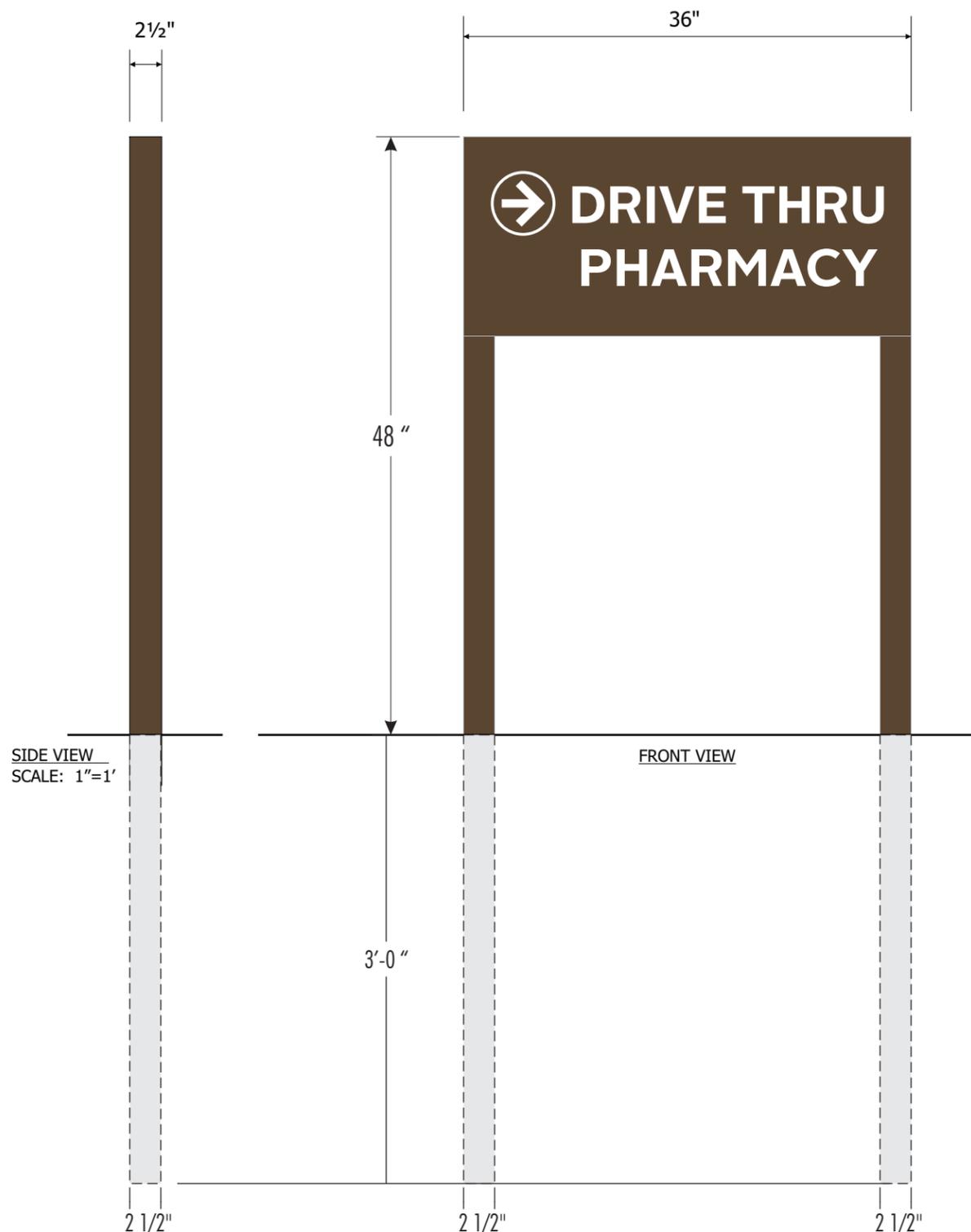
  

| MATERIAL LIST |                      |
|---------------|----------------------|
| 1             | .080" ALUMINUM PANEL |
| 2             | LOW-TAC OPAQUE VINYL |
| 3             |                      |
| 4             |                      |
| 5             |                      |

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN

GENERAL NOTES

- TOLERANCE ( UNLESS NOTED)
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT INDICATES USE OF SPRAYLAX MIX SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
- ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48



BACK VIEW  
SCALE: 1"=1'

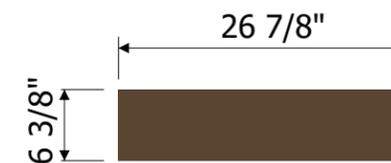
**Panels**  
.080 flat aluminum panels  
PAINTED Sw6076 TURKISH COFFEE

**Copy**  
White Reflective vinyl copy  
WHITE REFLECTIVE VINYL 3M480-10

**Posts**  
PAINTED Sw6076 TURKISH COFFEE

TEMPORARY VINYL COVERS

NO COPY QTY: As Needed



VINYL TO MATCH SW6076 TURKISH COFFEE  
LOW TAC OPAQUE VINYL

SCALE 1:12  
4 SF

13

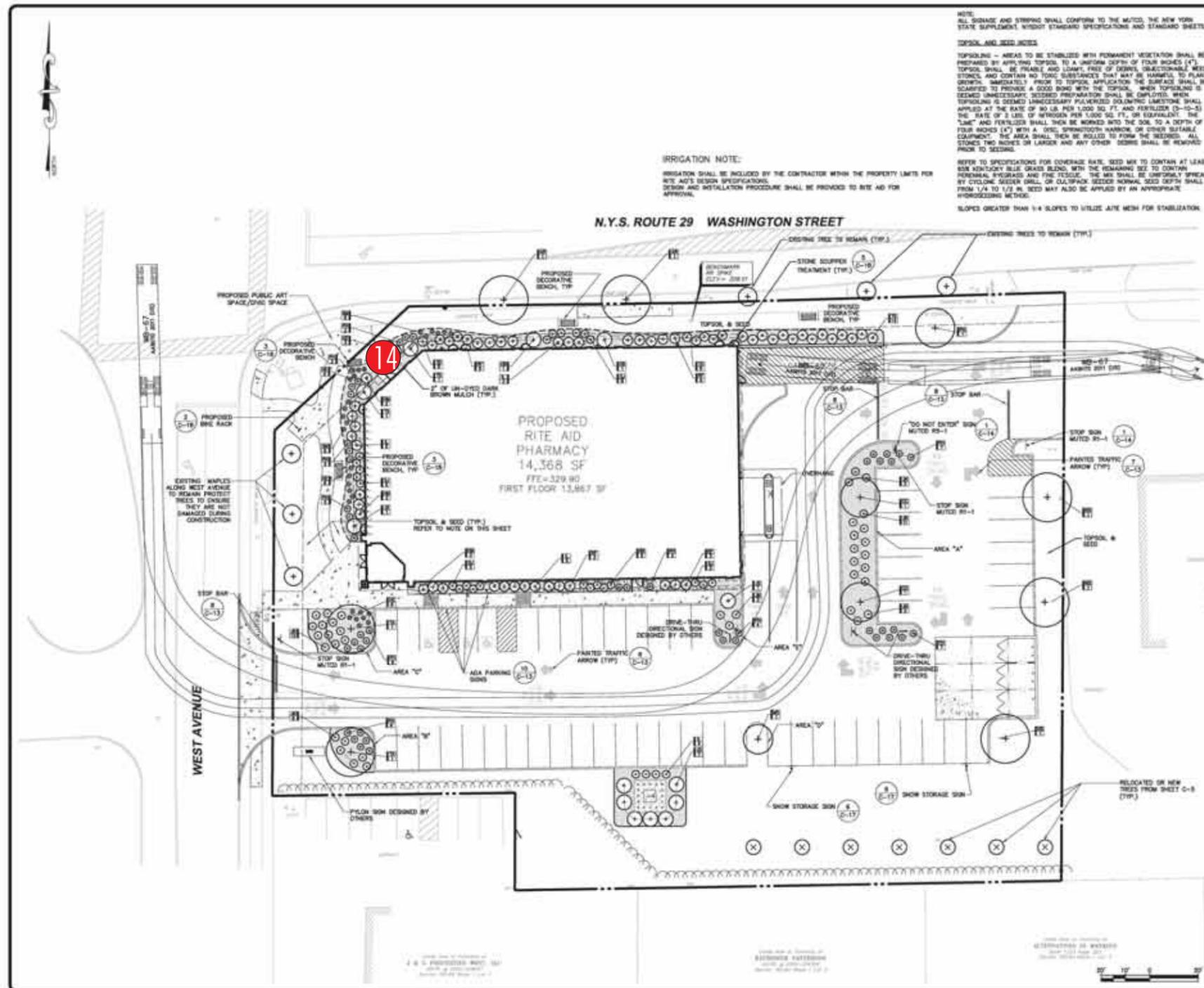
APPROVAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.

Please Note: Weights and Measures requirements vary by State, County and Municipality. It is the responsibility of the customer to confirm that these graphics are compliant with all local Regulations, Statutes and Ordinances. Compliancy must be confirmed by the party obtaining the permit. SignResource is not liable for misinterpretation of local Weights and Measures requirements or any rule changes that may occur after the order has been placed. If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.

| DESCRIPTION                                     |                |                     |              |
|---|----------------|---------------------|--------------|
| RITEAID<br>16" x 36" DF NL<br>DIRECTIONAL SIGNS |                |                     |              |
| VOLTAGE:  | CIRCUIT:       | CURRENT:            | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.                           |                | CHECKED BY:         |              |
| CLIENT: RITEAID                                 |                |                     |              |
| LOCATION:                                       |                |                     |              |
| QUOTE:  | DATE: 05/10/16 |                     |              |
| DRAWING/PART #<br>RAV0034                       | REV<br>A       | SHEET #<br>39 OF 42 |              |

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**NOTE:**  
ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE MUTCD, THE NEW YORK STATE SUPPLEMENT, AND/OR STANDARD SPECIFICATIONS AND STANDARD SHEETS.

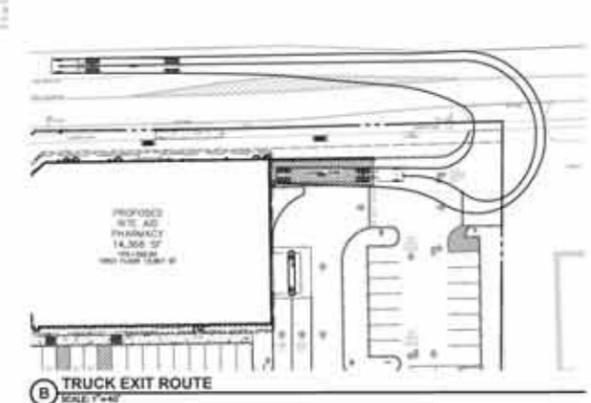
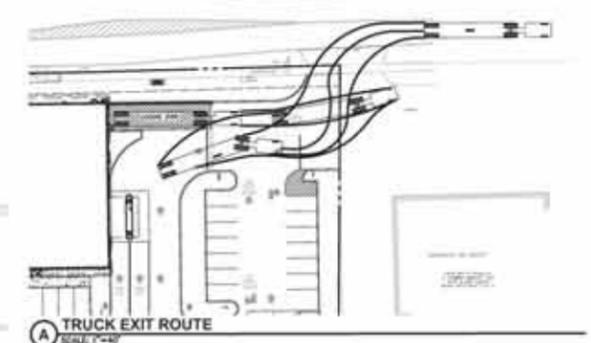
**TOPSOIL AND SEED NOTES:**  
TOPSOILING - AREAS TO BE STABILIZED WITH PERMANENT VEGETATION SHALL BE PREPARED BY APPLYING TOPSOIL TO A UNIFORM DEPTH OF FOUR RICHES (4"). TOPSOIL SHALL BE FREELY AND LOOSELY FREE OF DEBRIS, UNDESIRABLE WEEDS, STONES, AND CONTAIN NO TOXIC SUBSTANCES THAT MAY BE HARMFUL TO PLANT GROWTH. IMMEDIATELY PRIOR TO TOPSOIL APPLICATION THE SURFACE SHALL BE SCARIFIED TO PROVIDE A GOOD BOND WITH THE TOPSOIL. WHEN TOPSOILING IS SEEMED UNNECESSARY, SEEDING PREPARATION SHALL BE EMPLOYED. WHEN TOPSOILING IS DEEMED UNNECESSARY, POLYMERIZED SOLOMATIC LIMEZONE SHALL BE APPLIED AT THE RATE OF 80 LB. PER 1,000 SQ. FT. AND FERTILIZER (3-10-5) AT THE RATE OF 2 LB. OF NITROGEN PER 1,000 SQ. FT. OR EQUIVALENT. THE "LIME" AND FERTILIZER SHALL THEN BE WORKED INTO THE SOIL TO A DEPTH OF FOUR RICHES (4") WITH A DISC SPRINGTOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE AREA SHALL THEN BE ROLLED TO FIRM THE SEEDS. ALL STONES TWO RICHES OR LARGER AND ANY OTHER DEBRIS SHALL BE REMOVED PRIOR TO SEEDING.

**IRRIGATION NOTE:**  
IRRIGATION SHALL BE INCLUDED BY THE CONTRACTOR WITHIN THE PROPERTY LIMITS FOR RITE AID'S DESIGN SPECIFICATIONS. DESIGN AND INSTALLATION PROCEDURE SHALL BE PROVIDED TO RITE AID FOR APPROVAL.

REFER TO SPECIFICATIONS FOR COVERAGE RATE. SEED MIX TO CONTAIN AT LEAST 80% KENTUCKY BLUE GRASS SEEDS, WITH THE REMAINING SEE TO CONTAIN PERENNIAL HYDRANGEA AND FINE FESCUE. THE MIX SHALL BE UNIFORMLY SPREAD BY CYCLOPE SEEDER OR EQUIVALENT. SEED DEPTH SHALL BE FROM 1/4 TO 1/2 IN. SEED MIX ALSO BE APPLIED BY AN APPROPRIATE HYDROSEEDING METHOD.

SLOPES GREATER THAN 1:4 SLOPES TO UTILIZE AITE MESH FOR STABILIZATION.

| PLANT SCHEDULE       |     |                                   |                          |                  |
|----------------------|-----|-----------------------------------|--------------------------|------------------|
| SYM                  | QTY | BOTANICAL NAME                    | COMMON NAME              | SIZE / SPACING   |
| TREES                |     |                                   |                          |                  |
| AR                   | 2   | ACER RUBRUM 'OCTOBER GLORY'       | RED MAPLE                | 2" CAL.          |
| CC                   | 2   | CERIS SARRADENSIS                 | EASTERN REDBUD           | 2" CAL.          |
| FR                   | 1   | FRAXINUS 'ACHONACH'               | FLORING GRAMMIFL         | 2" CAL.          |
| HS                   | 3   | HYDRANGEA                         | BLACK ICE                | 2" CAL. 30" O.C. |
| PI                   | 1   | PIRUS BLANCA                      | WHITE SPRUCE             | 8-10'            |
| TS                   | 14  | TRIALIA 'EMERALD GREEN'           | EMERALD GREEN ARBORVITAE | 8-7"             |
| TA                   | 2   | TRIALIA AMERICANA                 | AMERICAN LARIX           | 2" CAL.          |
| SHRUBS               |     |                                   |                          |                  |
| DR                   | 2   | DRACOPANUS PERSICA 'BOLEZANO'     | JAPANESE FALSECYPRESS    | 4'-5" 8' O.C.    |
| HM                   | 2   | HYDRANGEA PANGOLATA 'LITTLE LIME' | LITTLE LIME HYDRANGEA    | 18"-24" 4' O.C.  |
| CL                   | 17  | CLERODENDRON 'COMPACTA'           | COMPACT BERRY            | 24"-30" 4' O.C.  |
| JA                   | 28  | JUNIPERUS PROCUMBENS 'NANA'       | SWAMP GARDEN JANIPE      | 3 GAL. 8' O.C.   |
| JS                   | 2   | JUNIPERUS SCOPULORUM 'MOON BLUE'  | MOON BLUE JUNIPER        | 3'-4" 8' O.C.    |
| RF                   | 16  | RHOXODENDRON 'YOUNGSHAW'S WHITE'  | RHOXODENDRON             | 18"-24" 4' O.C.  |
| RR                   | 2   | ROSA 'RADRAZ'                     | DOUBLE KNOCKOUT ROSE     | 3 GAL. 8' O.C.   |
| SP                   | 16  | SPIREA JAPONICA 'LITTLE PRINCESS' | LITTLE PRINCESS SPIREA   | 3 GAL. 8' O.C.   |
| TS                   | 16  | TRIALIS X NEIDA 'YONOPONY'        | DOCKIE SPREADING VEW     | 3 GAL. 4' O.C.   |
| TS                   | 2   | TRIALIA OOOOONALIS 'EMERALD'      | EMERALD GREEN ARBORVITAE | 5'-6" 8' O.C.    |
| PERENNIALS & GRASSES |     |                                   |                          |                  |
| HE                   | 20  | HEMEROCALLIS 'HAPPY RETURN'       | SAXFLY                   | 1 GAL. 8' O.C.   |
| PH                   | 48  | PERENNISSETUM 'SARIEL'            | SWAMP FOUNTAIN GRASS     | 2 GAL. 30" O.C.  |
| SA                   | 11  | SALVIA 'MAY NIGHT'                | PURPLE SAGE              | 1 GAL. 8' O.C.   |



PD # 14.057

APPROVED BY THE SARATOGA SPRINGS PLANNING BOARD UNDER AUTHORITY OF A RESOLUTION

ADOPTED \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

| SUBMITTAL / REVISIONS |          |   |     |             |          |
|-----------------------|----------|---|-----|-------------|----------|
| NO.                   | DATE     | DESCRIPTION   | BY  | REVIEWED BY | DATE     |
| 1                     | 12/23/15 | SARATOGA SPRINGS PLANNING BOARD SUBMISSION TO PLANNER | AWL | JWE         | 12/23/15 |
| 2                     | 2/3/16   | REVISION TO ARCHITECTURE, LAYOUT AND GRADING          | AWL | JWE         | 2/3/16   |
| 3                     | 2/25/16  | REVISIONS   | AWL | JWE         | 2/25/16  |

THE ALTERATION OF THIS MATERIAL SHALL BE UNLESS DONE UNDER THE DIRECTION OF A QUALIFIED PROFESSIONAL ENGINEER OR ARCHITECT FOR AN ARCHITECT OR FOR AN ENGINEER OR LANDSCAPE ARCHITECT. A LICENSED LANDSCAPE ARCHITECT IS A VIOLATION OF THE STATE EDUCATION LAW AND/OR REGULATION AND IS A CLASS "B" MISDEMEANOR.

**Engineering and Land Surveying, P.C.**  
1533 Crescent Road - Clifton Park, NY 12065

NATIONAL RETAIL PROPERTIES  
LANDSCAPING AND SITE TRAFFIC CONTROL  
**SARATOGA RITE AID SITE PLAN**  
90 WEST AVENUE  
CITY OF SARATOGA SARATOGA COUNTY, NY

SCALE: 1" = 20'  
CONTRACT NO.: SAJ-PROJ. NO. 104-01  
DATE: 08/2016  
**C-10**



6135 District Blvd • Maywood, CA 90270  
800.423.4283 • Fax 323.560.7143  
Website: www.signresource.com



1 NORTH (Faces Washington St.)  
1/8" = 1'-0"



2 SOUTH  
1/8" = 1'-0"



3 EAST  
1/8" = 1'-0"



4 WEST (Faces West Ave.)  
1/8" = 1'-0"



**PROPOSED RITE AID**  
 ARCHITECTURAL ELEVATIONS OF A RITE AID  
 PHARMACY, 581 WEST AVENUE, SARATOGA SPRINGS, NY 12158  
 PREPARED BY: SIGN RESOURCE  
 6135 DISTRICT BLVD. MAYWOOD, CA 90270  
 800.423.4283 FAX 323.560.7143  
 WWW.SIGNRESOURCE.COM

# NON-ILLUMINATED

**REVISION HISTORY:**

| REV                  | DATE     | REQUESTED BY | UPDATED BY |
|----------------------|----------|--------------|------------|
| A                    | 08/30/16 | TL           | BS         |
| REVISION DESCRIPTION |          |              |            |
| INITIAL DRAWING      |          |              |            |

**PARTS LIST:**

| ITEM          | DECORATION             |
|---------------|------------------------|
| A             | ARLON 2500-2870 BLUE   |
| B             | ARLON 2500-2283 RED    |
| C             | WHITE                  |
| D             | PAINT TO MATCH PMS 424 |
| E             |                        |
| F             |                        |
| MATERIAL LIST |                        |
| 1             | SINTRA                 |
| 2             |                        |
| 3             |                        |
| 4             |                        |
| 5             |                        |



**THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN**

**GENERAL NOTES**

1. TOLERANCE ( UNLESS NOTED )
  - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
  - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
  - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

|   |          |             |              |
|---|----------|-------------|--------------|
| DESCRIPTION                                     |          |             |              |
| RITEAID<br>36" X 48 1/8" SF NL<br>SINTRA LETTER |          |             |              |
| VOLTAGE:  | CIRCUIT: | CURRENT:    | DESIGN LOAD: |
| DRAWN BY:<br>BRIAN S.                           |          | CHECKED BY: |              |
| CLIENT:<br>RITEAID                              |          |             |              |
| LOCATION:                                       |          |             |              |
| QUOTE:  | DATE:    |             |              |
| DRAWING/PART #                                  | REV.     | SHEET #     |              |
|   | A        | 42 OF 42    |              |

14

**APPROVAL SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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## **SARATOGA COUNTY PLANNING BOARD**

**TOM L. LEWIS**  
**CHAIRMAN**

**JASON KEMPER**  
**DIRECTOR**

August 8, 2016

Susan Barden, Senior Planner  
City of Saratoga Springs  
City Hall 474 Broadway  
Saratoga Springs, NY 12866

### **SCPB Referral Review#16-136-Area Variances-National Retail Properties (Rite Aid)**

Multiple variances for signage at 17 on-site locations for NE style sign package.  
SE Quad of intersection of Washington Street (NYS Route 29) & West Avenue

Received from the City of Saratoga Springs Zoning Board on June 24, 2016.

Reviewed by the Saratoga County Planning Board on July 21, 2016.

**Decision:** No Significant Countywide or Intercommunity Impact

**Comment:** While comment was made that the number of signs and the number of needed variances is more substantial than would be expected for one application, the number, size and location of the signs does not pose an impact of a countywide nature. The SCPB returns the referral for signage area variances to the city zoning board of appeals for a full discussion and consideration of the application and the balancing test criteria associated with its review.

A handwritten signature in purple ink that reads "Michael Valentine".

---

Michael Valentine, Senior Planner  
Authorized Agent for Saratoga County

**DISCLAIMER:** Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u>        | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---------|-----------------------------|------------------------------------|-----------------------|
| Name    | David Guarino & Linda Haner |                                    |                       |
| Address | [REDACTED]                  |                                    |                       |
| Phone   | [REDACTED]                  | /                                  | /                     |
| Email   | [REDACTED]                  |                                    |                       |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 21 Park Place Tax Parcel No.: 165 84 1 1  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 11/9/98 3. Zoning District when purchased: UR-4

4. Present use of property: 3 unit residential 5. Current Zoning District: UR-4

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? 12/29/14 For what? area variance )  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
 To construct two (2) additional residential structures on the property so that there are a total of seven (7) units on the parcel.  
 The proposal includes one free-standing garage.

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: 12/29/14

2. Type of variance granted?  Use  Area

3. Date original variance expired: 6/29/16

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

Original application design not approved by Planning Board, application pending.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

There have been no changes to the neighborhood or the site since the original variance was granted. Circumstances are the same as well.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

\_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

\_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

\_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

Dimensional Requirements

From

To

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DISCLOSURE

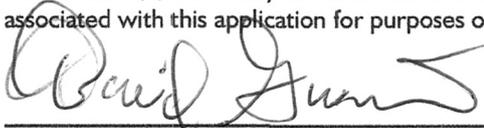
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

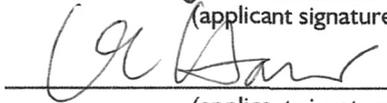
By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)

Date: 6-23-16



(applicant signature)

Date: 6-23-2016

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**CITY OF SARATOGA SPRINGS**  
**ZONING BOARD OF APPEALS**

— ♦ —  
CITY HALL - 474 BROADWAY  
SARATOGA SPRINGS, NEW YORK 12866  
PH) 518-587-3550 FX) 518-580-9480  
WWW.SARATOGA-SPRINGS.ORG

*Bill Moore, Chair*  
*Keith B. Kaplan, Vice Chair*  
*Adam McNeill, Secretary*  
*Gary Hasbrouck*  
*George "Skip" Carlson*  
*Oksana Ludd*  
*James Helicke*

**Appeal #2776**  
**IN THE MATTER OF THE APPEAL OF**  
**David Guarino and Linda Haner**  
**21 Park Place**  
**Saratoga Springs, NY 12866**

from the Zoning and Building Inspector's Denial (most recently revised Dec. 8, 2014) for the premises at 21 Park Place, Saratoga Springs, New York, identified as Tax Parcel No.: 165.84-1-1 in the inside district of the City.

The appellant having applied for an area variance under the Zoning Ordinance of the City to construct (2) detached two-family residences (per emailed Dec. 11, 2014 schematic) and (1) detached garage on a lot occupied by an existing three-family residence; seeking relief from the minimum front yard setback for both two-family residences and maximum principal building coverage requirements for the combined three principal structures in the Urban Residential – 4 District and public notice having been duly given of a hearing on said application held on July 14, September 22, November 17 and 24 and December 15, 2014.

In consideration of the balance between the benefit to the applicant with the detriment to the health, safety and welfare of the community, the Board makes the following resolution that the requested area variance for the following relief or such lesser amount, as described in the submitted application and plans revised Nov. 24, 2014 (updated Dec. 11, 2014), BE APPROVED

| Type of Requirement   | Required/<br>Permitted | Proposed | Total Relief Requested |
|---|------------------------|----------|------------------------|
| Maximum Principal Building Coverage: Three principal buildings combined | 25%                    | 27.8%    | 2.8% (11.2%)           |
| Minimum Front Yard Setback:<br>Two-family fronting on Park Pl.          | 25 feet                | 16 feet  | 9 feet (36%)           |
| Minimum Front Yard Setback:<br>Two-family fronting on Park Pl.          | 25 feet                | 16 feet  | 9 feet (36%)           |

1. The Applicant has demonstrated that this benefit cannot be achieved by other means feasible. The buildings could be moved back on the lot to conform to the minimum front yard setback; however, as the applicants indicate, "It would also make the location of the front of the building inconsistent with the setback of the buildings on the north and south side of Park Pl." In addition, the two new

two-family residences were placed on the site in a way that would avoid additional tree removal. Similarly, the applicants provided an analysis of comparable principal building coverages in the neighborhood showing that, out of 32 nearby properties, 9 currently have principal building coverages equal to or greater than the subject requested variance. In addition, while smaller footprints could provide the same desired interior square footage, the buildings would need to be higher (third story) which would not be consistent with the neighborhood. In light of that, the subject request does not appear to adversely impact the surrounding neighborhood.

2. The Applicant has demonstrated that granting of these variances will not create an undesirable change in neighborhood character or a detriment to nearby properties. The applicants provided an analysis of where many of the existing, neighboring buildings are located in relation to their respective front property lines, showing that 15 residential properties reasonably near to the subject property have front yard setbacks less than the district requirement. It is this Board's determination that the proposed front yard setbacks for the new structures do not substantially conflict with the historic layout and existing streetscape of the neighborhood. The DRC provided a favorable advisory opinion on November 5, 2014 stating, "The proposed overall mass and scale of the project, the architectural styling, and the proposed materials would not be inconsistent, nor incongruous, with the surrounding neighborhood".
3. The requested relief from the front yard setback may be considered substantial at 36%; however, the requested relief is consistent with the location of other structures in the neighborhood as evidenced by the submitted street survey identifying neighboring homes' relationship to their respective front property lines. The Board notes the responses received from the County Planning Board, City Planning Board, the Design Review Commission and the Saratoga Springs Preservation Foundation, none of which find the requested dimensions unacceptable.
4. The applicants have demonstrated that the variances will not have a significant adverse physical or environmental effect on the neighborhood. The plans identify 42% of the site would remain permeable, which exceeds the minimum 15% required in the district. The Board is sympathetic to the concerns expressed by neighbors as to a possible increase in traffic on these local streets, concerns with the two additional curb cuts and the backing out of cars from the site on to both Regent and Park Pl. These site layout concerns, together with any remaining concerns about trees on site, can be appropriately considered by the Planning Board during site plan review.
5. The alleged difficulty may be considered self-created, however, this is not necessarily fatal to the application.

Note:

County referral response, "No Significant Countywide or Intercommunity Impact" with comment, dated July 28, 2014.

While DRC Historic Review is not required in this case, the applicant's Nov. 13, 2014 response to the consideration identified in the DRC's advisory opinion shall be incorporated into the final design of the project.

Other approvals:

Planning Board site plan review is required

Adopted by the following vote:

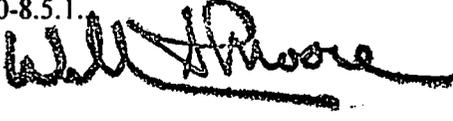
AYES: 7 (B. Moore, A. McNeill, K. Kaplan, G. Hasbrouck S. Carlson, O. Ludd and J. Helicke)

NAYES: 0

Dated: December 15, 2014

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

12/23/14  
Date

  
Chair

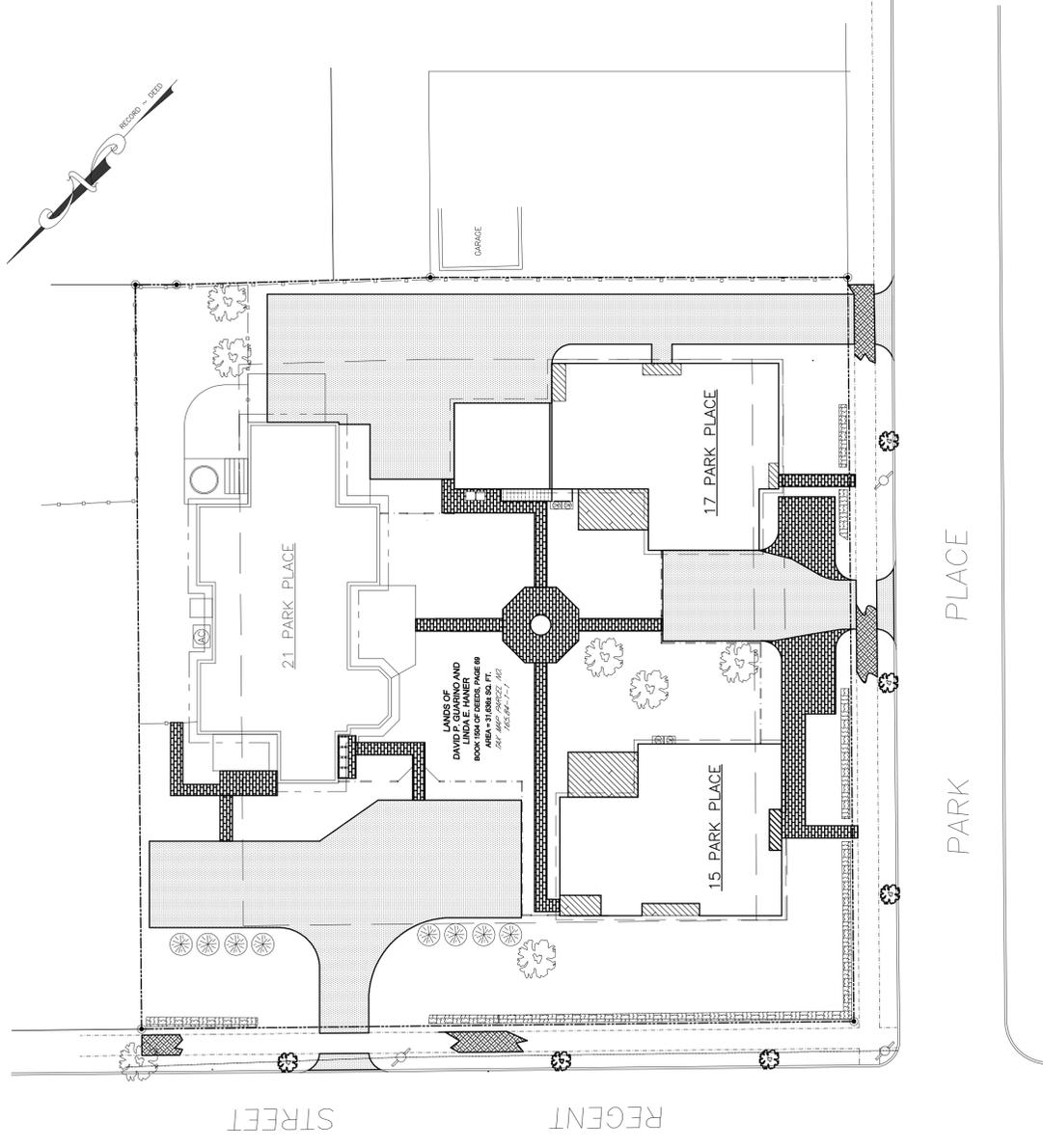
I hereby certify the above to be a full, true and correct copy of a resolution duly adopted by the Zoning Board of Appeals of the City of Saratoga Springs on the date above mentioned, seven members of the Board being present.

**RECEIVED**  
DEC 29 2014  
ACCOUNTS DEPARTMENT

# PARK & REGENT CONDOMINIUMS

## SHEET LISTING - SITE PLAN APPLICATION CONTENTS

1. MAP NO. 2005-19-02 - SURVEY OF LANDS OF DAVID P. GUARINO AND LINDA E. HANER, SURVEY ASSOCIATES
2. S1 SITE PLAN
3. S2 SEDIMENT & EROSION CONTROL PLAN & DETAILS
4. S3 STORMWATER MITIGATION & GRADING PLAN
5. S4 LANDSCAPING & LIGHTING PLAN & DETAILS
6. S5 PARKING, TURNING, SNOW STORAGE PLAN & DETAILS
7. D1 SITE INFRASTRUCTURE DETAILS
8. D2 SITE UTILITY DETAILS
9. D3 SITE STORMWATER MITIGATION DETAILS & NOTES



MAP REFERENCE:  
 SURVEY OF LANDS OF DAVID P. GUARINO AND LINDA E. HANER, SURVEY ASSOCIATES, LLC  
 MAP NO. 2005-19-02, REVISION 1, 11/20/2014, BY SURVEY ASSOCIATES, LLC

| NO. | DATE     | BY | CHK. | DESCRIPTION                |
|-----|----------|----|------|----------------------------|
| 1   | 7/8/2015 | JK | JK   | REWORKED (ORIGINAL) SHEETS |
| -   | 6/7/2015 | JK | JK   | ORIGINAL SUBMITTAL         |

OWNER: DAVID P. GUARINO & LINDA E. HANER  
 SHEET LISTING

**REXFORD ENGINEERING PLLC**  
 ENGINEERING CONSULTANTS

23 FARWAY, SUITE 200  
 WESTPORT, NY 11791  
 PHONE: (815) 852-0153, FAX: (815) 852-0152

**BOUNDARY INFORMATION**  
 FROM THE MAPS REFERENCED ON THIS PLAN.  
 PARTICIPATE IN THE PREPARATION OF THIS PLAN WAS TAKEN  
 FROM THE MAPS REFERENCED ON THIS PLAN.  
 UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 2209  
 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. ANY SUCH VIOLATION SHALL BE  
 CONSIDERED TO BE VOID TRINQUE COPES.

PB# 14.053

SCALE: AS SHOWN  
 DATE: 7/8/2015  
 REVISION: 1

ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: DAVID GUARINO AND LINDA HANER

TAX PARCEL NO.: 165.84-1-1

PROPERTY ADDRESS: 21 PARK PLACE  
ZONING DISTRICT: URBAN RESIDENTIAL – 4

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Extension of a previously approved area variance for construction of two, two-family residences.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3 and 8.5.2. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

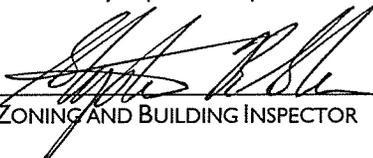
Use Variance to permit the following: \_\_\_\_\_

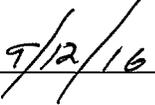
Area Variance seeking the following relief:

| <u>Dimensional Requirements</u>      | <u>From</u> | <u>To</u> |
|--------------------------------------|-------------|-----------|
| Minimum front yard setback:          | 25 ft.      | 16 ft.    |
| Maximum principal building coverage: | 25%         | 27.8%     |

Note: \_\_\_\_\_ Previously approved December 15, 2014 and filed December 29, 2014

Advisory Opinion required from Saratoga County Planning Board

  
\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

  
\_\_\_\_\_  
DATE



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)  
**REC'D JUN 06 2016**  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u> | <u>OWNER(s) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---------|----------------------|------------------------------------|-----------------------|
| Name    | Theresa Capozzola    | Peter and Theresa Capozzola        |                       |
| Address | [REDACTED]           |                                    |                       |
| Phone   | [REDACTED]           | /                                  | /                     |
| Email   | [REDACTED]           |                                    |                       |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 57 Gilbert Road Tax Parcel No.: 166 - 3 - 14  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 57 - 8/30/1993 3. Zoning District when purchased: RR-1

4. Present use of property: Residential 5. Current Zoning District: RR-1

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? 6/6/16 - Current For what? side yard set back with 55 gilbert)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
 Area variance to allow home office in detached garage.

9. Is there a written violation for this parcel that is not the subject of this application? Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: \_\_\_\_\_ Purchase amount: \$ \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ \_\_\_\_\_ 4) Annual taxes: \$ \_\_\_\_\_

5) Annual income generated from property: \$ \_\_\_\_\_

6) City assessed value: \$ \_\_\_\_\_ Equalization rate: \_\_\_\_\_ Estimated Market Value: \$ \_\_\_\_\_

7) Appraised Value: \$ \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? \_\_\_\_\_  No

1) Original listing date(s): \_\_\_\_\_ Original listing price: \$ \_\_\_\_\_

If listing price was reduced, describe when and to what extent: \_\_\_\_\_

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: \_\_\_\_\_

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: \_\_\_\_\_

4) How many times has the property been shown and with what results? \_\_\_\_\_

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

6.4.3 B 1 and B 2.

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

Dimensional Requirements

B. 1.

From

within structure

To

detached garage

15%

25%

B. 2

1 employee

1 1/2 employees

Other: \_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The garage could not be attached to the home on the north side as neighboring property (55 Gilbert) already violates side yard set backs.

The garage could not be attached to the home on the south side because the septic system and well and well pipes servicing the property were located on the south side of home. (Well is now abandoned)

The garage couldn't be located in the rear of the home due to location of leach field and would be too close to a stream.

At the time the garage was built, the zoning law allowed 30% of total floor area of the residence and did not specify "totally within structure" - see ATTACHED ordinance

The need for one and one-half employees is due to job sharing between employees.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Garages and Home occupations are both allowable in the zone. The neighborhood now has garages and structures much larger than subject garage. Office use does not generate much additional traffic, office is located in garage which fits in with neighborhood. Addition of one 1/2 time employee does not create undesirable change n character of neighborhood as only impact is one extra trip to office, and we are well below our trips allowed per day per the existing zoning.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variance is not substantial. All other requirements for home occupation are met with the exception of office being in detached garage, and it impossible to have attached garage to home. Area which occupies office is based on a percentage of the size of the home. Since my home is relatively small, it makes any home office, even within the structure, potentially too small to be practical. In addition, when garage was built upon information and belief, the zoning law allowed 30% of total floor area of the

residence. If that was still the case, a variance on that issue would not be necessary. In addition, the prior zoning did not specify "totally within structure", therefore an interpretation could have allowed office in detached garage and again, would not have needed a variance.

The addition of one 1/2 time employee is not substantial and even with the addition of that one extra employee on some days, not all, we are below the amount of trips allowed to be generated per existing zoning.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

No change is being made to the neighborhood. The office is supplemental to and secondary to the use as a garage for our home. The garage is a two car garage. Newer structures in the neighborhood have been allowed that have much greater physical and environmental impact on the neighborhood including office buildings and convenience stores.

The use of the second floor of garage as a home office has a positive effect on environment as it reduces another car on the road traveling to an office.

The second 1/2 employee does not create an adverse effect as our activity already generates less trips than allowed by the zoning.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

Although the office use was self created, the necessity that the garage be detached was not self created given the only location available for the well and septic system.

The use of the garage space as an office may have been allowed without a variance under zoning code in effect at the time

garage was built as the zoning law allowed 30% of total floor area of the residence and did not specify "totally within structure". Please see attached pages from prior zoning.

DISCLOSURE

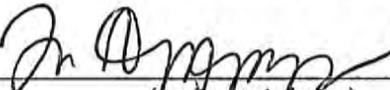
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)

Date: 6/6/16.

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL No.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE

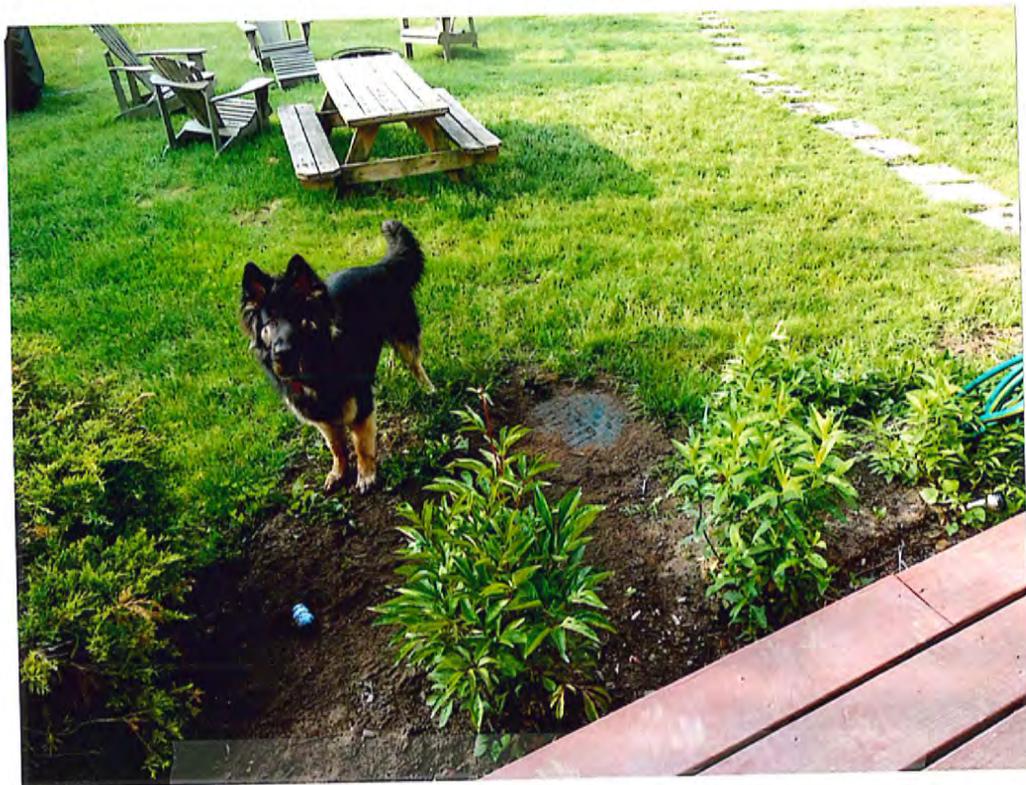


Structure part of residential garage  
No change to character of neighborhood





VIEW OF HOUSE FROM GARAGE



Location of septic on garage  
side of house.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 - Project and Sponsor Information</b>  |  |                                     |                          |
|--|--|-------------------------------------|--------------------------|
| Name of Action or Project:<br>Theresa Capozzola Area Variance  |  |                                     |                          |
| Project Location (describe, and attach a location map):<br>57 Gilbert Road   |  |                                     |                          |
| Brief Description of Proposed Action:<br>Seeking Area Variance for Home Office in Detached Garage  |  |                                     |                          |
| Name of Applicant or Sponsor:<br>Theresa A. Capozzola  |  | Telephone: [REDACTED]               |                          |
|  |  | E-Mail: [REDACTED]                  |                          |
| Address:<br>[REDACTED]   |  |                                     |                          |
| City/PO:<br>[REDACTED]   |  | State:<br>[REDACTED]                | Zip Code:<br>[REDACTED]  |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |  | NO                                  | YES                      |
|  |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |  | NO                                  | YES                      |
|  |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? _____ 0 acres   |  |                                     |                          |
| b. Total acreage to be physically disturbed? _____ 0 acres   |  |                                     |                          |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 10.484 acres  |  |                                     |                          |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |  |                                     |                          |
| <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)   |  |                                     |                          |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |  |                                     |                          |
| <input type="checkbox"/> Parkland  |  |                                     |                          |



|  |   |   |
|--|---|---|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br/>         If Yes, explain purpose and size: _____<br/>         _____<br/>         _____</p> | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br/>         If Yes, describe: _____<br/>         _____<br/>         _____</p>   | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br/>         If Yes, describe: _____<br/>         _____<br/>         _____</p>   | <p><b>NO</b></p> <p><input checked="" type="checkbox"/></p> | <p><b>YES</b></p> <p><input type="checkbox"/></p> |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Theresa A Capozzola</u> Date: <u>4/6/16</u></p> <p>Signature: <u><i>[Signature]</i></u></p>                                      |   |   |

015

**CITY OF SARATOGA SPRINGS ZONING ORDINANCE**  
**ARTICLE XII – SUPPLEMENTAL REGULATIONS AND EXCEPTIONS**

**ARTICLE XII - SUPPLEMENTAL REGULATIONS AND EXCEPTIONS**

**240-12.1 INTENT**

The provisions of this chapter shall be subject to the exceptions, prohibitions, requirements and/or limitations as hereinafter provided.

**240-12.2 NUMBER OF PRINCIPAL BUILDINGS** (amended 6/7/93, 4/15/97, 5/15/01, 6/15/04)

- A. Only one principal building may be established on any one lot. This shall not apply to a lot in an approved clustered or conservation subdivision. The following exceptions are permitted provided that each principal building is sited so as to meet the minimum area, width and yard requirements of that district:
- (1) The Building Inspector shall grant an exception to permit more than one principal building for additional single family homes on any lot in the Rural Residential-1 district.
  - (2) The Building Inspector shall grant an exception to permit more than one principal building for one and two-family uses on any lot in the Urban Residential-4 and Urban Residential-5 districts.
  - (3) The Planning Board may grant an exception to permit more than one principal building on any lot in any other multifamily residential district, any commercial or business district and any institutional or industrial district.
- B. When siting multiple warehouse or storage structures (including self-storage) on any one lot, the minimum area, width and yard requirements that relate to each structure shall be 50 percent of that normally required by the district. However, the front, rear and one side yard requirements that relate to the parcel's perimeter shall not be reduced from the normal requirements.

**240-12.3 SPECIAL FRONT YARD REQUIREMENTS**

(amended 5/15/95, 4/15/97, 8/3/99)

The minimum front yard setback requirement in an UR-1, UR-2 or UR-3 district shall be altered as follows from the requirements set forth in Articles III thru XXI: If there are existing principal structures on both parcels of land immediately adjacent to the said property and if both the adjacent structures fail to meet the existing minimum front yard requirements, then the minimum front yard requirement for said property shall be no closer to the street right-of-way line than the average distance of the existing setback for the adjacent structures.

**240-12.4 HOME OCCUPATION**

(amended 11/18/91, 9/8/92, 6/7/93, 6/19/95, 4/15/97, 5/15/01, 3/1/05)

- A. IN GENERAL
- (1) The activity shall not alter the primary use of the premises as a residence and the non-residential use shall be limited to no more than 30% of the

**CITY OF SARATOGA SPRINGS ZONING ORDINANCE**  
**ARTICLE XII – SUPPLEMENTAL REGULATIONS AND EXCEPTIONS**

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total floor area of the residence.

- (2) In no way shall the appearance of the structure be altered nor shall the activity within the residence be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of noises, odors, or vibration.
- (3) This chapter shall not prevent individuals, owners, lessees or purchasers under contract from conducting a business, trade, or profession specified below in their homes or residences, provided that they meet the standards set forth by these regulations.

B. HOME OCCUPATIONS shall be permitted as an accessory use where permitted as set forth in district use schedules in Article II. The following standards shall apply to such activities:

- (1) Only the occupants of the residence and one non-occupant of the residence may conduct the activity. The addition of a second or third non-occupant of the residence employee requires the issuance of a special use permit.
- (2) The average weekday vehicle trip ends generated by the home occupation use shall not exceed 20 trip ends, and any need for parking generated by the home occupation shall be met onsite and not in the required front yard.
- (3) Patrons or clients of the home occupation may not visit the premise after 9:00 p.m. or before 8:00 a.m. daily.
- (4) Only one non-illuminated, 1½ sq. ft. wall sign is permitted.
- (5) Exterior storage or display of stock, equipment or products is prohibited.

C. PERMITTED HOME OCCUPATIONS. Home occupations include, but are not limited to, the following:

- (1) Office facilities for accountants, architects, brokers, engineers, land surveyors, landscape architects, lawyers, insurance agents, realtors, and members of similar professions.
- (2) Emergency treatment by a doctor or a dentist, but not the general practice of such profession.
- (3) Office facility of a salesperson, sales representative or manufacturer's representative provided that no retail or wholesale transactions are made on the premises.
- (4) Office facilities for ministers, priests and rabbis.
- (5) Home crafts such as model making, rug weaving, and lapidary work.

**CITY OF SARATOGA SPRINGS ZONING ORDINANCE**  
**ARTICLE XII – SUPPLEMENTAL REGULATIONS AND EXCEPTIONS**

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- (6) Workshop or studio for an artist, photographer, craftsman, writer, composer, dress maker, tailor or computer programmer.
- (7) Facilities for instruction to not more than 3 pupils at any given time such as in music or dance.
- (8) Homebound employment of a physically or mentally handicapped person who is unable to work away from home by reason of disability.
- (9) Appointments and consultations by a psychiatrist, psychologist, psychotherapist or social worker.

**F. PROHIBITED HOME OCCUPATIONS.**

- (1) Nursing homes, medical offices, clinics, or hospitals
- (2) Antique or furniture shops
- (3) Barbershops, hair stylists or beauty salons
- (4) Funeral homes, mortuaries or embalming establishments
- (5) Restaurants
- (6) Private clubs or lodges
- (7) Stables, kennels or animal clinics
- (8) Adult entertainment
- (9) Corridor Bed and Breakfast
- (10) Corridor Rooming House
- (10) Neighborhood Bed and Breakfast
- (11) Neighborhood Rooming House
- (12) Inn

**240-12.5 JUNKYARDS**

No junkyards shall be established in any district on or after the effective date of this chapter.

**240-12.6 DRIVE IN MOVIES**

No drive in movies shall be established in any district on or after the effective date of this chapter.

**240-12.7 WALLS AND FENCES** (amended 6/15/04, 5/3/05, 6/15/04)

- A. All fences and walls shall be measured from the ground level at the base of the side directed toward the abutting property. All such fences and walls constructed after June 15, 2004 shall have the finished face of the fence or wall directed toward the abutting property. The property owner on whose land the fence or

**THOMPSON FLEMING**  
LAND SURVEYORS, P.C.

12 Lake Avenue Saratoga Springs NY 12866  
Voice: (518) 587-5665 Fax: (518) 587-5772



**Deed References:**

1. Theresa A. Capozzola and Susan A. Pfau dated Sept. 10, 2004 in Liber 1898 of Deeds, page 549.
2. Peter M. and Theresa A. Capozzola dated August 30, 1993 in Liber 1376 of Deeds, page 284.

**Map Reference:**

See filed Saratoga County "Plan of Survey for Eleanor Riemish" prepared by Andrew Stine L.S. dated August 1961 and shown in Liber 709 of Deeds, page 471.

**Note:**

55 Gilbert Road shall have access to the existing septic system it is currently using on 57 Gilbert Road.

**Map Legend**

- 5/8" steel rod set with a tag
- o marker found, labeled
- o utility pole
- o lamp post
- o water valve
- o overhead wires
- wood fence

**Site Statistics**

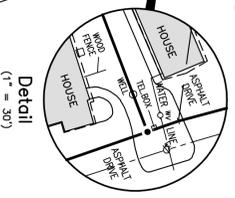
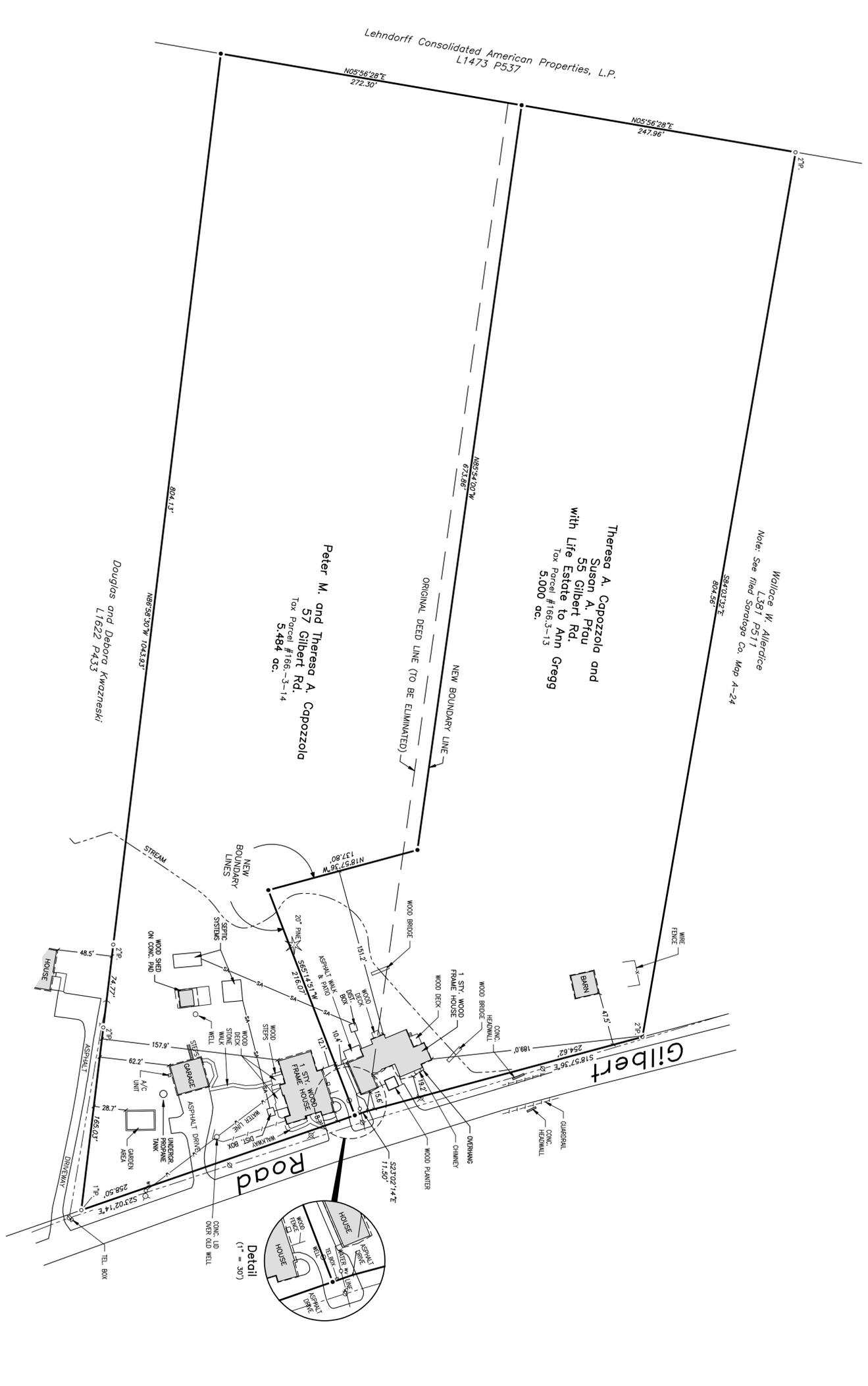
| 55 Gilbert               | Required | Proposed  |
|--------------------------|----------|-----------|
| Min. Lot Size            | 2 AC.    | 5,000 AC. |
| Mean Width               | 200'     | 248.7'    |
| Min. Front Yard          | 60'      | 15.6'     |
| Min. Rear Yard           | 100'     | 151.2'    |
| Min. Side Yard           | 30'      | 10.4'     |
| Min. One Side Total Side | 100'     | 199.4'    |

| 57 Gilbert               | Required | Proposed  |
|--------------------------|----------|-----------|
| Min. Lot Size            | 2 AC.    | 5,484 AC. |
| Mean Width               | 200'     | 263.6'    |
| Min. Front Yard          | 60'      | 8.7'      |
| Min. Rear Yard           | 100'     | 100'      |
| Min. Side Yard           | 30'      | 12.1'     |
| Min. One Side Total Side | 100'     | 170'      |

Approved under authority of the Chairman of the Planning Board of the City of Saratoga Springs per the Subdivision Regulations, Article V.

Chairperson \_\_\_\_\_ Date Signed \_\_\_\_\_



**Zoning Schedule: RR Rural Residential**

| Zoning District | Minimum Lot Size (Ac.) | Minimum Mean Width (ft.) | Maximum Lot Coverage |               |       | Minimum Setback Dimensions (Feet) |           |            |                             | Minimum Principal Buildings | Minimum Distance to Accessory Building (Feet) |                    |                | Minimum % to Remain Permeable |               |
|-----------------|------------------------|--------------------------|----------------------|---------------|-------|-----------------------------------|-----------|------------|-----------------------------|-----------------------------|---|--------------------|----------------|-------------------------------|---------------|
|                 |                        |                          | Principal Bldg.      | Access. Bldg. | Front | Rear                              | Each Side | Total Side | Minimum 1st Floor Area (SF) |                             | Max. Height (Feet)                            | Principal Building | Front Lot Line |                               | Side Lot Line |
| RR              | 2 acres                | 200                      | 15                   | 5             | 60    | 100                               | 30        | 100        | n/a                         | 35                          | 5   | 60                 | 30             | 50                            | 90            |

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's Seal is prohibited. Only approved assessments (if any) are shown on this survey. No abstract of title was recorded. The New York State Education Law, Section 1703(2)(b) requires that this map be filed with the State Education Department. Theresa A. Capozzola, Theresa S10-110 (04/93) S10-110 Capozzola.dwg



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Teli 518-587-3550 faxi 518-580-9480

FOR OFFICE USE
(Application #)
(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

Table with columns: APPLICANT(S)\*, OWNER(S) (If not applicant), ATTORNEY/AGENT. Rows: Name, Address, Phone, Email.

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: [X] Owner [ ] Lessee [ ] Under option to lease or purchase

PROPERTY INFORMATION

- 1. Property Address/Location: 124 jefferson st Tax Parcel No.: 178 36 3 21
2. Date acquired by current owner: 2110 3. Zoning District when purchased:
4. Present use of property: 6 townhomes 5. Current Zoning District:
6. Has a previous ZBA application/appeal been filed for this property?
7. Is property located within (check all that apply)?
8. Brief description of proposed action: repurpose public benefit from senior to workforce
9. Is there a written violation for this parcel that is not the subject of this application?
10. Has the work, use or occupancy to which this appeal relates already begun?
11. Identify the type of appeal you are requesting (check all that apply):

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_  
2 market rate units and 4 workforce units

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

7 years of marketing to seniors and not a single offer

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: <sup>2010</sup> \_\_\_\_\_ Purchase amount: \$ <sup>377,000</sup> \_\_\_\_\_

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u> |
|-------------|--------------------|-------------|
| 2010        | 6 townhomes        | \$1,800,000 |
| _____       | _____              | _____       |
| _____       | _____              | _____       |
| _____       | _____              | _____       |

3) Annual maintenance expenses: \$ <sup>20,000</sup> \_\_\_\_\_ 4) Annual taxes: \$ <sup>12,000</sup> \_\_\_\_\_

5) Annual income generated from property: \$ <sup>10,000</sup> \_\_\_\_\_

6) City assessed value: \$ <sup>492,000</sup> \_\_\_\_\_ Equalization rate: <sup>80%</sup> \_\_\_\_\_ Estimated Market Value: \$ <sup>615,000</sup> \_\_\_\_\_

7) Appraised Value: \$ <sup>na</sup> \_\_\_\_\_ Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? 7 years  No

1) Original listing date(s): 2010 Original listing price: \$ 325,000

If listing price was reduced, describe when and to what extent: \$299,000 in 2011

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: all senior outlets 55+ Living Guide

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: since 2010

4) How many times has the property been shown and with what results? multiple times with no offers

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

seniors do no want this type of housing which is two story 2 and 3 bedroom with full basement and attached garage.



**AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):**

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: \_\_\_\_\_ TAX PARCEL NO.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

\_\_\_\_\_. As such, the following relief would be required to proceed:

Extension of existing variance       Interpretation

Use Variance to permit the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u> | <u>From</u> | <u>To</u> |
|---------------------------------|-------------|-----------|
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |
| _____                           | _____       | _____     |

Other: \_\_\_\_\_

\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

\_\_\_\_\_  
DATE



AS FEATURED IN:

# 55+ Living Guide

55PlusLivingGuide.com



2 Floor Plans

1,400 Square Feet

2 Bedrooms

2.5 Baths

HOA Included

## Saratoga Six

Condominium Rentals / \$1,495\* per Month  
124 Jefferson Street, Saratoga Springs

*\*Option to Purchase*

For more information contact:  
Danielle Warrington at 518-698-9955 (cell)

### DOWNSIZE TO UPSCALE SOPHISTICATION AND STYLE.

New construction, luxury 55+ condominiums within walking distance to Broadway and historic Saratoga Race Course. A six unit building with two floor plans to choose from. Attached garage, small front porch and back patios overlooking common backyard areas for total outdoor enjoyment.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

|  |  |                         |  |
|--|--|-------------------------|--|
| <b>Part 1 - Project and Sponsor Information</b>  |  |                         |  |
| 124 jefferson st. cdjt development/charles touhey  |  |                         |  |
| Name of Action or Project:<br>saratoga springs ny use variance   |  |                         |  |
| Project Location (describe, and attach a location map):<br>124 jefferson st saragoga springs ny  |  |                         |  |
| Brief Description of Proposed Action:<br>change public benefit from senior designation to workforce designation  |  |                         |  |
| Name of Applicant or Sponsor:<br>cdjt development/charles touhey   |  | Telephone: 518 438 3521 |  |
|  |  | E-Mail: [REDACTED]      |  |
| Address:<br>pine west plaza bldg 2 washington ave ext  |  |                         |  |
| City/PO:<br>albany   |  | State:<br>ny            | Zip Code:<br>12205   |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |  |                         | NO<br><input type="checkbox"/><br>YES<br><input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |  |                         | NO<br><input type="checkbox"/><br>YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?   |  | _____ .43 acres         |  |
| b. Total acreage to be physically disturbed?   |  | _____ .43 acres         |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |  | _____ .43 acres         |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |  |                         |  |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)   |  |                         |  |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |  |                         |  |
| <input type="checkbox"/> Parkland  |  |                         |  |



|   |   |                                     |
|---|---|-------------------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>If Yes, explain purpose and size: _____<br>_____<br>_____ | NO<br><br><input checked="" type="checkbox"/> | YES<br><br><input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____<br>_____<br>_____   | NO<br><br><input checked="" type="checkbox"/> | YES<br><br><input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____<br>_____<br>_____   | NO<br><br><input checked="" type="checkbox"/> | YES<br><br><input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  |   |                                     |
| Applicant/sponsor name: <u>COST Development</u>   |   | Date: <u>3/28/16</u>                |
| Signature: <u>[Signature]</u>   |   |                                     |



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u>                                 | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|---------|--|------------------------------------|-----------------------|
| Name    | CDJT Development, LLC/Charles Touhey                 |                                    |                       |
| Address | Pine West Plaza 2, Wash Ave. Ext<br>Albany, NY 12205 |                                    |                       |
| Phone   | 518-438-3521   |                                    |                       |
| Email   | [REDACTED]   |                                    |                       |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 124 jefferson st Tax Parcel No.: 178 36 3 21  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 2110 3. Zoning District when purchased: UR 7

4. Present use of property: 6 townhomes 5. Current Zoning District: UR 7

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: \_\_\_\_\_  
Repurpose the original public benefit, (which was required by the 4 unit density bonus received) from Senior housing to Workforce housing, wherein buyers must have a maximum income not to exceed 80 to 120% of Saratoga AMI (Area Median Income)

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):**

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) na

2. How do you request that this section be interpreted? \_\_\_\_\_

na  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):**

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**USE VARIANCE – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: \_\_\_\_\_  
Allow the sale of 2 market rate units, and 4 workforce units to persons whose income does not exceed 80-120% of the Saratoga County AMI ( Area Median Income)

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

In 2110, six senior units were completed and marketing began. Each townhome consisted of 2 or 3 bedrooms, 2 story, full basements and attached garage. Price was \$325,000. From the outset, buyers were available in the 30 to 40 year old range, with none over the 55 age as required by the project approvals. The price was then lowered to \$299,000 (actual builder cost) and subsequently to \$250,000 to determine if price was indeed the factor. It clearly was not. For 7 years and 3 realtors, we still have no buyers over 55.

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: 2010 Purchase amount: \$ 377,000

2) Indicate dates and costs of any improvements made to property after purchase:

| <u>Date</u> | <u>Improvement</u> | <u>Cost</u>        |
|-------------|--------------------|--------------------|
| <u>2010</u> | <u>6 townhomes</u> | <u>\$1,800,000</u> |
| _____       | _____              | _____              |
| _____       | _____              | _____              |
| _____       | _____              | _____              |

3) Annual maintenance expenses: \$ 20,000 4) Annual taxes: \$ 12,000

5) Annual income generated from property: \$ 10,000

6) City assessed value: \$ 492,000 Equalization rate: 80% Estimated Market Value: \$ 615,000

7) Appraised Value: \$ na Appraiser: \_\_\_\_\_ Date: \_\_\_\_\_

Appraisal Assumptions: \_\_\_\_\_

B. Has property been listed for sale with the Multiple Listing Service (MLS)?  Yes If "yes", for how long? 7 years  No

1) Original listing date(s): 2010 Original listing price: \$ 325,000

If listing price was reduced, describe when and to what extent: From \$325,000 to 299,000 to \$250,000 in 2011 as well as "Rent With Option To Buy"

2) Has the property been advertised in the newspapers or other publications?  Yes  No

If yes, describe frequency and name of publications: all senior outlets including 55+ Living Guide for 7 years.

3) Has the property had a "For Sale" sign posted on it?  Yes  No

If yes, list dates when sign was posted: since 2010

4) How many times has the property been shown and with what results? multiple times weekends, open houses, with no offers over 7 years.

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

After 7 years of marketing, price reductions and 3 realtors, it is clear that while persons in the age bracket of 30 to 40 will purchase these homes, seniors will not.



DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

  
\_\_\_\_\_  
(applicant signature)

Date: 3-25-16

\_\_\_\_\_  
(applicant signature)

Date: \_\_\_\_\_

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachments**  
and supporting materials.

## 124 Jefferson St. – Project History

Background- In 2010, the project was approved for 6 units of senior housing (2 units allowed, plus 4 units (density bonus). Marketing began immediately with age restriction originally at 60, subsequently changed to 55 by the city. However, customers who were willing to purchase were always 30 to 40 years of age.

Unit Design – Two and Three Bedroom, Two story, and full basement with attached garage.

Pricing – \$325,000 in 2010 subsequently reduced to \$299,000 in 2011 and briefly to \$250,000 that year.

Marketing - (Utilized three realtors) ( Roohan ,Hunt ,Pro Realty of New York) with specialized outreach to seniors through flyers and visits to all Saratoga Senior centers. In addition, targeted advertising in “55 + Living Guide”. (Attached)

2016 Situation- After 7 years of marketing, it is clear that there is a market for these homes in the 30 to 40 year age range. We are proposing to repurpose the Public Benefit derived from the 4 unit density bonus to “Workforce Housing”

Workforce Housing - would restrict buyers to a maximum of 80 to 120% of the Area Median Income (AMI) for Saratoga County, thus providing affordable housing opportunities for the city, which it sorely needs.

124 Jefferson St

Marketing Efforts 2010-2016

2010

 Hunt Realty

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

2011

Hunt Realty

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

## 2012

#2

Roohan Realty

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

## 2013

Pro Realty of New York

>

**Hired on-site sales person    Cost: \$20,000**

>

**Offered "Rent with option to buy"**

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

## 2014

#3

Pro Realty of New York

Hired on-site sales person    Cost: \$20,000

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

## **2015**

### Pro Realty of New York

Hired on-site sales person      Cost: \$20,000

- 20 open houses
- Flyers
- Advertising
- Senior Outreach Centers
- MLS
- Numerous appointments

## **2016**

Same Marketing as previous 6 years.

AS FEATURED IN:

# 55+ Living Guide

55PlusLivingGuide.com



2 Floor Plans  
1,400 Square Feet  
2 Bedrooms  
2.5 Baths  
HOA Included

## Saratoga Six

Condominium Rentals / \$1,495\* per Month  
124 Jefferson Street, Saratoga Springs

*\*Option to Purchase*

For more information contact:  
Danielle Warrington at 518-698-9955 (cell)

### DOWNSIZE TO UPSCALE SOPHISTICATION AND STYLE.

New construction, luxury 55+ condominiums within walking distance to Broadway and historic Saratoga Race Course. A six unit building with two floor plans to choose from. Attached garage, small front porch and back patios overlooking common backyard areas for total outdoor enjoyment.

**To whom it may concern:**

I (Danielle Warrington) started working with Charles Touhey and property managing 124 Jefferson St. about 4 years ago. Seeming I work for a successful local builder and broker Cecil Provost, and being a realtor myself, we figured this would really help us sell these units. During this time I have set forth several different marketing avenues for 55+ senior living. We have advertised in Saratoga Living, a local magazine, 55 plus living guide, local papers, printed marketing brochures at the Y ,the race track, local business, as well as social media and that's just to name a few. I have spent years showing these units to 55+ seniors week after week just to continue to get the same result. I've done several open house events in hopes to attract seniors. 55+ seniors have no interests in buying these units due to the floor design and layout. They do not want to purchase their final home with 2 sets of stairs and no Bedroom on first floor, and no handicap access. We have rented a few units to 55+ seniors, and as a show of good faith brought every lease and photo id to Brad Birge so he knew we were doing the right thing. All Tenants at this time are moved out due to the reasons I listed above or they have purchased a place with the amenities they need, 1st. floor living.

Also during this time I couldn't even begin to count the number of sales, and rent with option, we have turned away due to the age restriction. What I have seen is that it's the 30+ middle age class that want to buy these condos. We have exhausted every idea, marketing strategy, to get these sold and it's just not happening. We have been honest and worked diligently in this process with just no success!

## 124 Jefferson Street units 1-6

### List of potential sales, rentals lost due to age restriction:

**1. Showing**, from glens falls area, owned a home looking to downsize age 46 years old, pre approved, owns a business. Age restriction only reason for not purchasing, Jan 2013.

**2. Showing**, from Saratoga young professional, age 35 works for a marketing firm in town. Age restriction only reason for not renting or purchasing. March 2013

**3. Showing**, from Albany area, works at Albany Med, age 27, looking to buy 1st time. Pre Approval letter, age restriction can not rent or sell. Bought a condo in malta. April 2013

**4. Showing**, age 32, from Latham area wanted to move to Saratoga, I sold him a house in Stillwater as the age restriction only reason I could not rent or sell to him. June 2013.

**5. Showing**, from burnt hills, age 45 looking to downsize wanted a townhome or condo. Age restriction only reason sale lost. Bought in ballston spa. June 2013

**6. Showing**, from Morgan Stanley, lives in NYC age 37. Looking for summer townhome in saratoga. Age restriction only reason for loss of sale. A track goer for reason loved location. July 2013.

**7. Showing**, from Albany area wanting to move to Saratoga, 1st time home buyer. Pre-approved age 35. Bought house in Albany due to age restriction. Aug 2013

**8. Showing**, from Albany area, age 45 looking to downsize, second home. Wants to move to Saratoga Area. pre- approval. Age restriction the issue. Nov. 2013

**9. Showing**, from Saratoga, age 33, first time home buyer. Age restriction reason for not purchasing. Dec 2013

**10. Showing**, from Queensbury, 36 first time homebuyer, pre-approved, loved property, lack of age requirement. Bought a home in Queensbury. Feb 2014

**11. Showing**, from Saratoga, 2nd home, downsizing. Age 43 unsure of statis if purchased. Age was the issue. April 2014

**12. Showing,** from Watervliet, age 39. 1st time home buyer. Wanted to move to Saratoga. Wanted to buy, age was the issue. Bought a home in malta area. June 2014.

**13. Showing,** age 29, 1st time home buyer, works at GE. Loved the townhomes. Age restriction the issue. Bought a home in ballston spa with her husband. June 2014.

**14. Showing,** age 34 moving here from NYC. Wanted to put in an offer, age again and bought a townhouse in Clifton Park. July 2014

**15. Showing,** from NJ. wanted to purchase for summer home. Lost deal due to age restriction. Aug 2014.

**16. Showing,** 30. Works at Navy base in Saratoga. 1st time home buyer. Age restriction only reason for no offer submitted. Oct. 2014.

**17. Showing,** 45 looking for second home in Saratoga. Lives in NH. Wanted a summer townhome in town. Decided to build due to age restriction. Dec. 2014

**18. Showing,** Married early 40's. Were looking for a second home. Built in still water a Townhome. Age was reason for loss of sale. March 2015.

**19. Showing,** 42 2nd home, looking to downsize. from Saratoga Area, loss sale to age. Moved to Ballston Spa. April 2015.

**20. Showing,** 1st time home buyer. from Saratoga. Age reason for loss of sale. bought in ballston spa. June 2015.

**21. Showing,** 43, second home. downsizing. moved from latham to saratoga, not sure where tho. Age was loss of sale. July 2015.

**22. Showing,** age 31, from saratoga. works at globalfoundries. loss of sale due to age. relocated to Vermont for job. Aug. 2015

**23. Showing,** age 33, from saratoga area works at local business, loss of sale due to age.

**Every month 1 open house since 2013-2016, no sales due to age restriction!**

This is just some of the contacts that I kept record of. There were also several agents in Saratoga that brought clients to show, age the number one reason for loss of sale. Second reason 55+ does not want to buy due to design layout being 2 story, the concern is in a few years from now the stairs being a huge issue. Just wanted to give you an idea of the hardship we have dealt with on this project. Thank you Brad for your time and consideration.

Sincerely,

Danielle

I'm reachable at [REDACTED], if there is any further questions.

ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: CDJT DEVELOPMENT, LLC

TAX PARCEL NO.: 178.36-3-21

PROPERTY ADDRESS: 124 JEFFERSON STREET  
ZONING DISTRICT: URBAN RESIDENTIAL – 2

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed conversion of an existing six-unit senior housing development to multi-family residential.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 2. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

Use Variance to permit the following: Multi-family (4 of 6 units to be workforce housing)

Area Variance seeking the following relief:

Dimensional Requirements

From

To

\_\_\_\_\_  
\_\_\_\_\_

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

  
\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

4/25/16  
\_\_\_\_\_  
DATE

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**ZBA App. No. 2889 - CDJT Development Townhouses - Amiee Miller Corr**

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**From :** Lindsey Gonzalez <lindsey.gonzalez@saratoga-springs.org> Mon, Apr 25, 2016 10:48 AM  
**Subject :** ZBA App. No. 2889 - CDJT Development Townhouses - Amiee Miller Corr 📎 1 attachment

**To :** Adam McNeill [REDACTED] >, Gary Hasbrouck  
[REDACTED], kaplankeith [REDACTED] Skip Carlson  
[REDACTED] >, Bill [REDACTED] helickezba  
[REDACTED] >, shsteer [REDACTED]

**Cc :** Susan Barden <susan.barden@saratoga-springs.org>

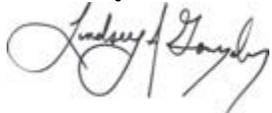
Board Members,

This morning I received a call from a concerned citizen who received a neighbor notification for the above referenced project. She reflected that she was unable to access internet at this time to provide her own statement, so I am summarizing her concerns below:

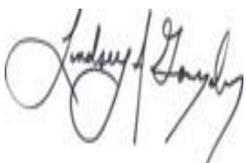
Aimee Miller  
121 Madison St  
Re: 124 Jefferson St Use Variance Request

Was comfortable with said property being utilized for senior housing, but NOT for workforce housing. Does not want another Jefferson Terrace in the neighborhood, and feels there is not enough senior housing in Saratoga. Disagrees with any further expansion as there is already a lack of greenspace in the neighborhood.

**Lindsey A. Gonzalez, M.P.A.**



**Land Use Board Coordinator**  
**Office of Planning and Economic Development**  
**City of Saratoga Springs**  
474 Broadway  
Saratoga Springs, NY 12866  
(E) lindsey.gonzalez@saratoga-springs.org  
(O) 518.587.3550 x 2533



**LAG elec sig.jpg**  
7 KB

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# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | APPLICANT(S)*                  | OWNER(S) (If not applicant) | ATTORNEY/AGENT |
|---------|--------------------------------|-----------------------------|----------------|
| Name    | Chris Armer<br>Teri L. DeSorbo |                             |                |
| Address | [REDACTED]                     |                             |                |
| Phone   | [REDACTED]                     | [REDACTED]                  | [REDACTED]     |
| Email   | [REDACTED]                     |                             |                |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 117 Middle Ave Tax Parcel No.: 166 45 3 25  
(for example: 165.52 - 4 - 37)
2. Date acquired by current owner: 8/22/2014 3. Zoning District when purchased: UR3
4. Present use of property: Single Family Home 5. Current Zoning District: UR3
6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? For what?)  
 No
7. Is property located within (check all that apply):  Historic District  Architectural Review District  
 500' of a State Park, city boundary, or county/state highway?
8. Brief description of proposed action:  
Add second story and a small addition to a single family home that is currently on the property. The existing home is outside of the setback requirements in that the east side of the home has a side setback of 2.8' and 3.1'. We are requesting no change in this setback. The rear of the home (north) currently is between 1.5' and 2.1'. We are proposing a small addition to the west side of the building. This corner of this addition would be 1.4' from the property line as opposed to the current 1.5'.
9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No
10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No
11. Identify the type of appeal you are requesting (check all that apply):  
 INTERPRETATION (p. 2)  VARIANCE EXTENSION (p. 2)  USE VARIANCE (pp. 3-6)  AREA VARIANCE (pp. 6-7)

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>   | <u>From</u>   | <u>To</u>                      |
|---|---------------|--------------------------------|
| Side Setback<br>_____<br>(Existing home currently has side setback proposed)<br>_____   | 4 ft<br>_____ | 2.8 to 3.1'<br>_____           |
| Rear Setback<br>_____<br>(existing home currently has rear setback of 1.5' to 2.1' - we are proposing an addition that is approx 5' wide and the corner would be 1" closer to property line.)<br>_____<br>_____ | 25'<br>_____  | 1.4' to 2.1'<br>_____<br>_____ |

Other: \_\_\_\_\_  
\_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

I have attempted to contact the property owner to the rear of this property who has an oversized lot. I have sent letters and knocked on the door many times and have had no response from either.  
 We have explored other designs to try to make the home a bit larger to fit todays standards. The home is very narrow and we feel the small side addition adds much to using the still small square footage to its best use.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The nearby neighborhood has many properties that do not fit the current setback requirements and therefore this property would not stand out as being out of character  
 As mentioned , the bordering property to the rear has an oversized lot and the home on that property is very close to the far border leaving a large back yard. The bordering property to the East has a home that is also located at the far border(east) of its lot leaving yard in between the 2 properties therefore the homes would not be abnormally close to each other. The bordering property to the West is a double lot that runs between both Middle Ave and York. The portion of the property that borders our lot on Middle ave is used as a driveway. The proposed addition to our property would still be 18.2' from that property line. There is also an existing garage along the same property line that is 8.1' from the property line.

\_\_\_\_\_

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The requested variance is not substantial because the only difference between the current setback of the existing structure and the proposed changes is only reduced by 1" on one corner of the home.

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4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

There are many similar homes in the area that do not fit the current setback requirements and there will be little impact to neighboring properties.

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5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

This property was purchased knowing that variances would be required but none of the required variances needed are out of character for the surrounding area nor are they substantial.

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DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

C Christopher Armer  
Digitally signed by C Christopher Armer  
Date: 2016.02.09 15:26:49 -05'00'

2/9/2016

Date: \_\_\_\_\_

(applicant signature)

Teri L DeSorbo  
Digitally signed by Teri L DeSorbo  
Date: 2016.02.09 15:30:11 -05'00'

2/9/2016

Date: \_\_\_\_\_

(applicant signature)

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

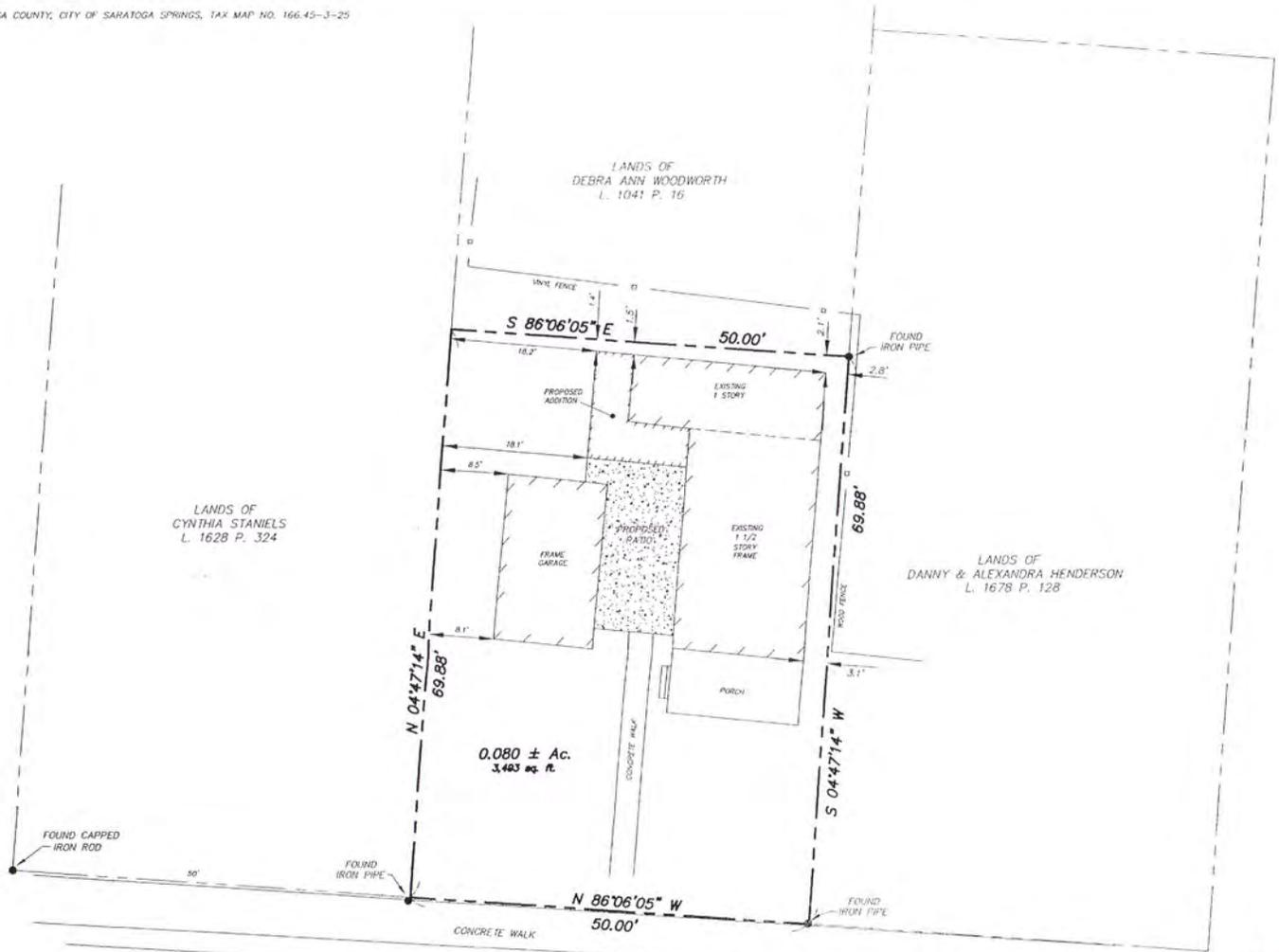
Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166-45-3-25



MAP OF SURVEY

OF LANDS OF

C. CHRISTOPHER ARMER & TERI DeSORBO

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

SCALE: 1" = 10' DATE: OCTOBER 21, 2014

UPDATED NOVEMBER 18, 2015 TO SHOW PROPOSED ADDITION

MIDDLE AVENUE

- LEGEND:**
- FOUND IRON MARKER
  - SET IRON ROD WITH CAP
  - ⊕ UTILITY POLE
  - E— POWER LINE
  - STONE WALL
  - - - - FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

*William J. Rourke*  
 WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES  
 Licensed Land Surveyors  
 299 Reservoir Road  
 Fort Edward, N.Y. 12828

14-91  
 JOB NO.

**W. J. ROURKE, ASSOCIATES - LICENSED LAND SURVEYORS**  
 299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828



EXISTING HOME -  
117 MIDDLE AVE - SUBJECT  
PROPERTY



REAR/SIDE OF SUBJECT FROM WEST  
(EXISTING HOME.)



Neighbor Driveway to West  
From Back Property Line



Looking WEST from  
117 Middle Ave



Looking EAST From  
117 Middle Ave



Across STREET from 117 Midd/E



Across STREET from 117 Middle



Google earth

feet  
meters

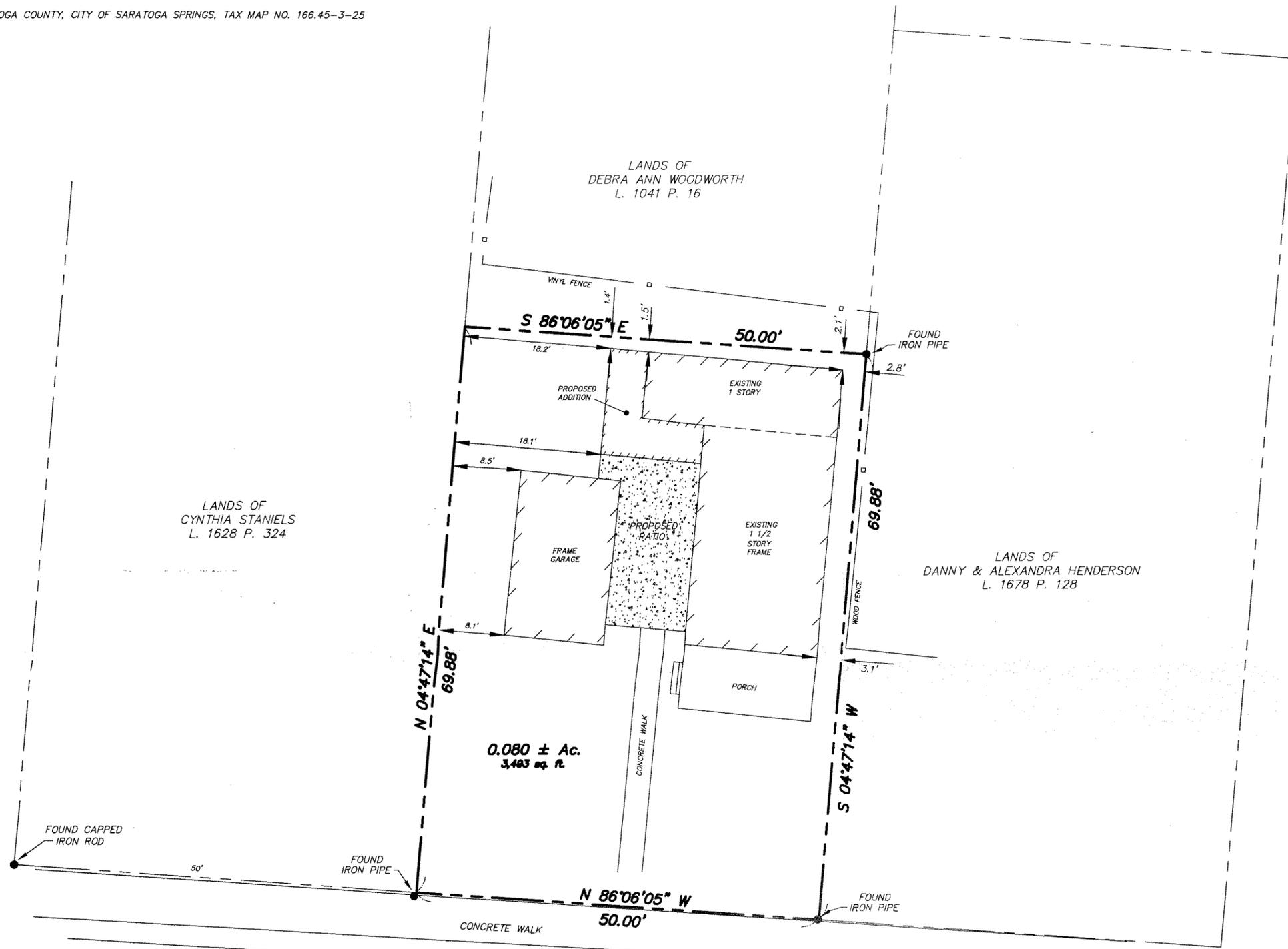


- SHOWS DENSITY OF AREA.



MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166.45-3-25



MIDDLE AVENUE

**MAP OF SURVEY**  
OF LANDS OF  
**C. CHRISTOPHER ARMER &**  
**TERI DeSORBO**

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK  
SCALE: 1" = 10' DATE: OCTOBER 21, 2014

UPDATED NOVEMBER 18, 2015 TO SHOW PROPOSED ADDITION

- LEGEND:**
- FOUND IRON MARKER
  - SET IRON ROD WITH CAP
  - UTILITY POLE
  - E— POWER LINE
  - STONE WALL
  - x-x- FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

*William J. Rourke*  
WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES  
Licensed Land Surveyors  
299 Reservoir Road  
Fort Edward, N.Y. 12828

14-91  
JOB NO.

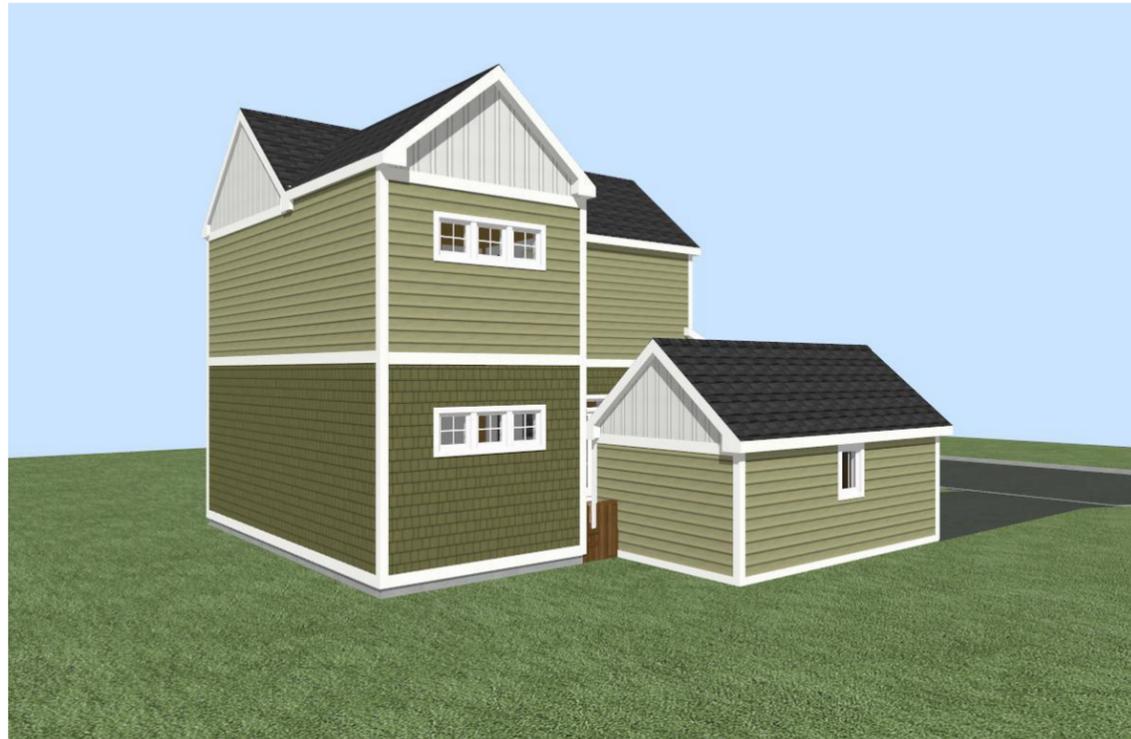
**W.J. ROURKE, ASSOCIATES - LICENSED LAND SURVEYORS**  
299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828



**FRONT LEFT ELEVATION**



**FRONT RIGHT ELEVATION**



**REAR LEFT ELEVATION**



**REAR RIGHT ELEVATION**

PLAN NO:

PAGE  
OF

DRAWN BY:

REVISIONS/DATE:

DESIGNED FOR:  
**CHRIS  
ARMER**

ADDRESS:

117 MIDDLE AVE  
SARATOGA  
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1966  
**WILLIAMS &  
WILLIAMS  
DESIGNERS**  
509 GLEN STREET - SUITE 200 FALLS CHURCH, VA 22024  
518-798-HOUSE(4687)  
WILLIAMSANDWILLIAMSDESIGNERS.COM



SEAL:

05/05/16

TO THE BEST OF OUR KNOWLEDGE, BELIEF, & PROFESSIONAL JUDGEMENT, SUCH PLANS & SPECIFICATIONS ARE IN COMPLIANCE WITH THE 2010 RESIDENTIAL BUILDING CODE OF NEW YORK STATE & THE 2010 ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE.

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SIGN & RETURN TO WILLIAMS & WILLIAMS  
APPROVAL  
SIGNATURE:  
DATE:

- EXISTING CONSTRUCTION  
 - TO BE DEMOLISHED  
 - NEW CONSTRUCTION

|               |      |                     |
|---------------|------|---------------------|
| FIRST FLOOR:  | 719  | SQ. FT. LIVING AREA |
| SECOND FLOOR: | 657  | SQ. FT. LIVING AREA |
| TOTAL:        | 1376 | SQ. FT. LIVING AREA |

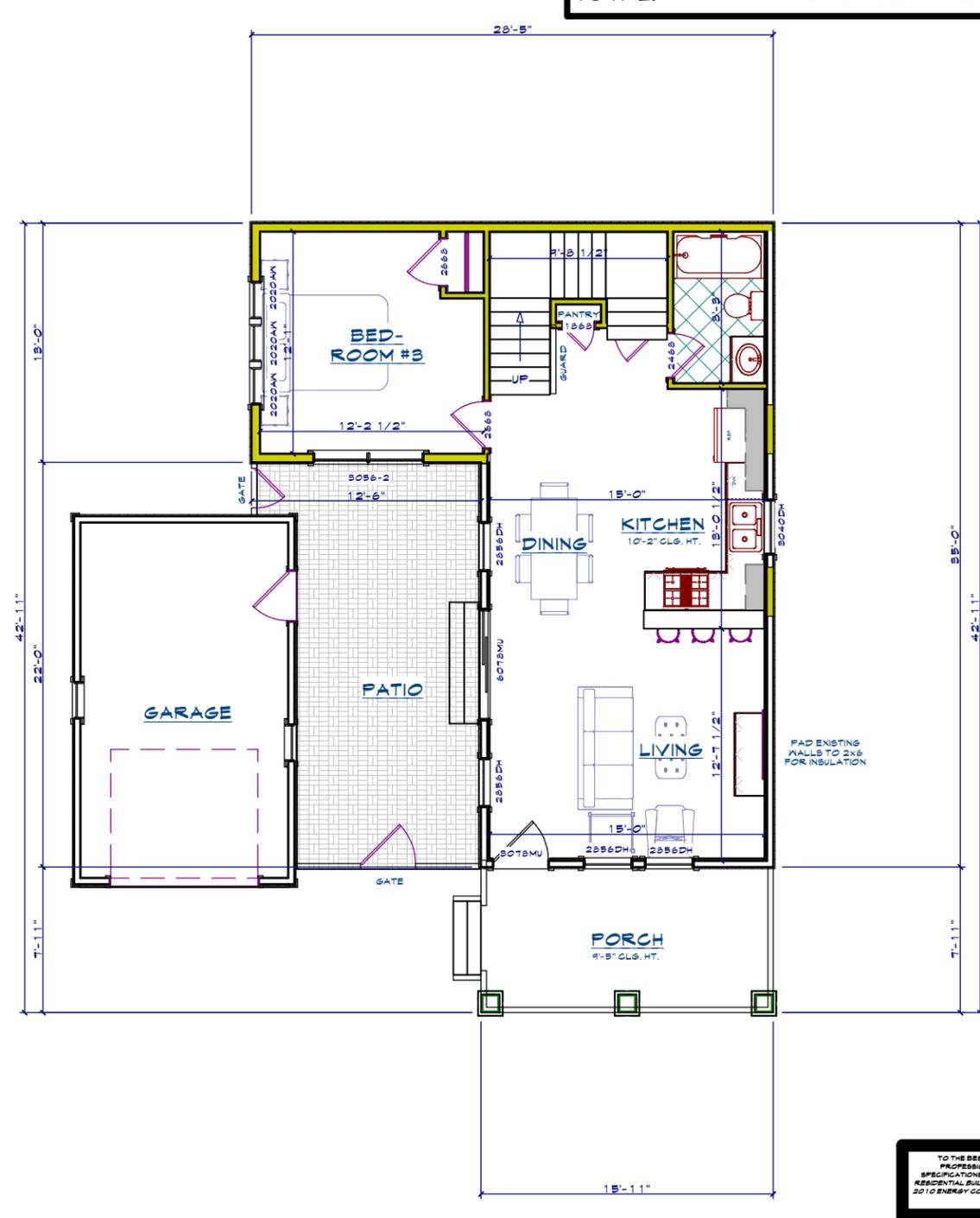
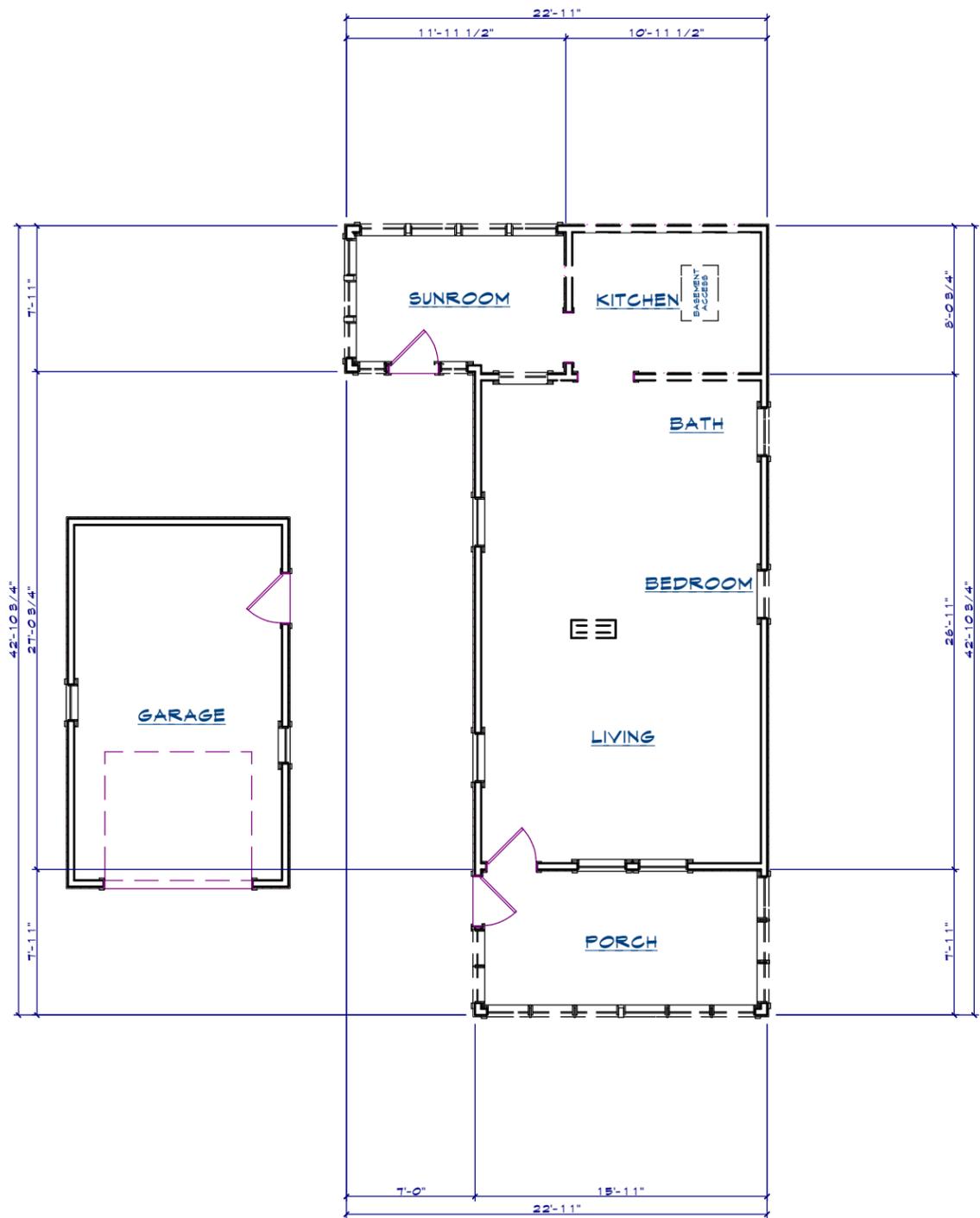
DESIGNED FOR:  
**CHRIS ARMER**

ADDRESS:  
117 MIDDLE AVE  
SARATOGA  
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1966  
**WILLIAMS & WILLIAMS DESIGNERS**  
505 61EN STREET - SUITE 505 FALLS - NEW YORK 12501  
518-798-HOUSE(4687)  
WILLIAMSANDWILLIAMSDESIGNERS.COM



SEAL:  
05/05/16



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**PRELIMINARY**  
PLEASE MAKE ANY CHANGES  
SIGN & RETURN TO WILLIAMS & WILLIAMS  
APPROVAL SIGNATURE:  
DATE:



LIVING/DINING/KITCHEN



DINING/KITCHEN/LIVING



SECOND FLOOR AERIAL



FIRST FLOOR AERIAL

- EXISTING CONSTRUCTION  
 - TO BE DEMOLISHED  
 - NEW CONSTRUCTION

PLAN NO:

PAGE OF

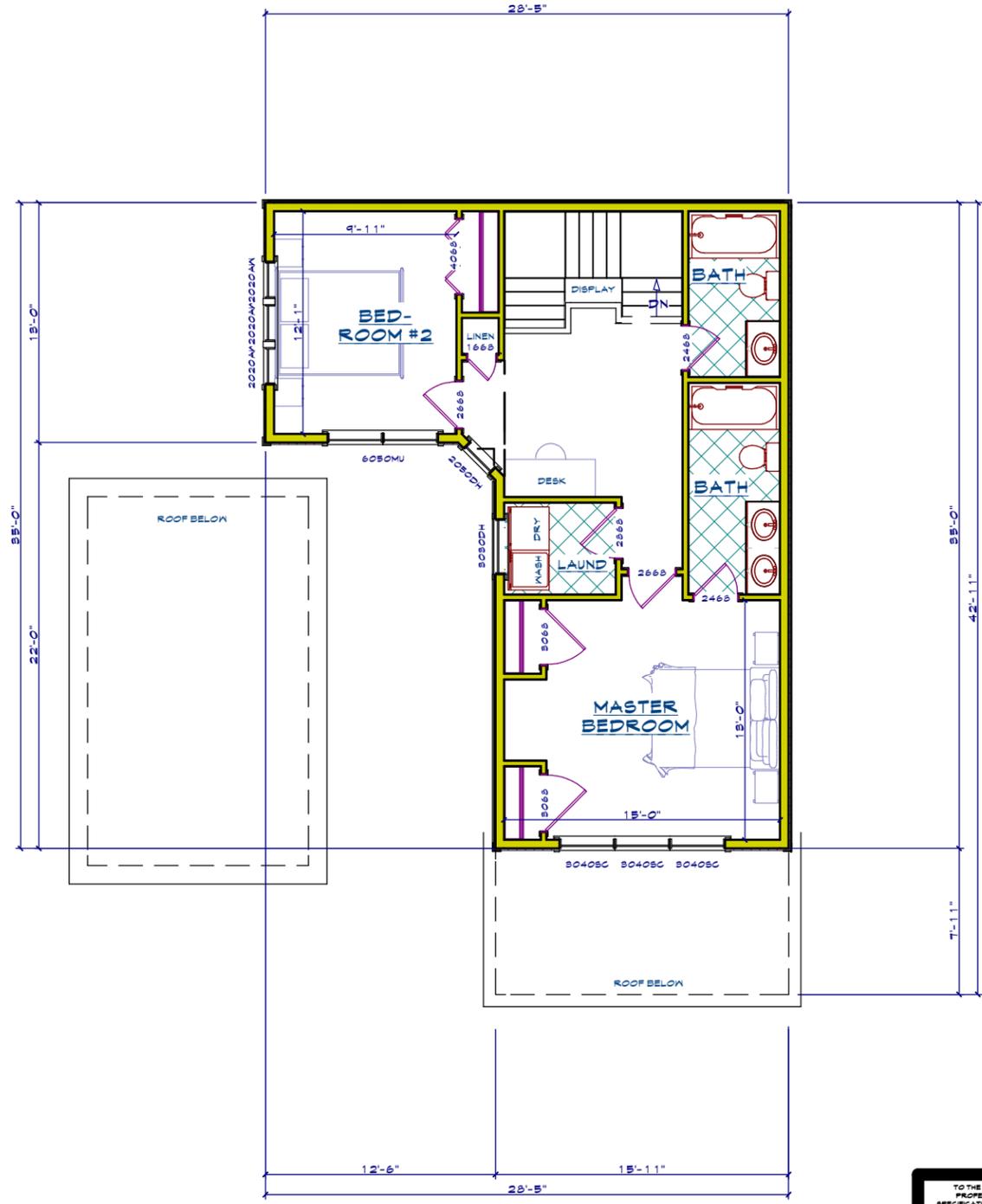
DRAWN BY:

REVISIONS/DATE:

DESIGNED FOR:  
**CHRIS ARMER**

ADDRESS:  
117 MIDDLE AVE  
SARATOGA  
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1966  
**WILLIAMS & WILLIAMS**  
 DESIGNERS  
 509 GLEN STREET - SUITE 100 FALLS FALLS, NEW YORK 13601  
 518-798-HOUSE(4687)  
 WILLIAMSANDWILLIAMSDESIGNERS.COM



**PROPOSED SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0"

**PRELIMINARY**  
 PLEASE MAKE ANY CHANGES  
 SIGN & RETURN TO WILLIAMS & WILLIAMS  
 APPROVAL SIGNATURE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

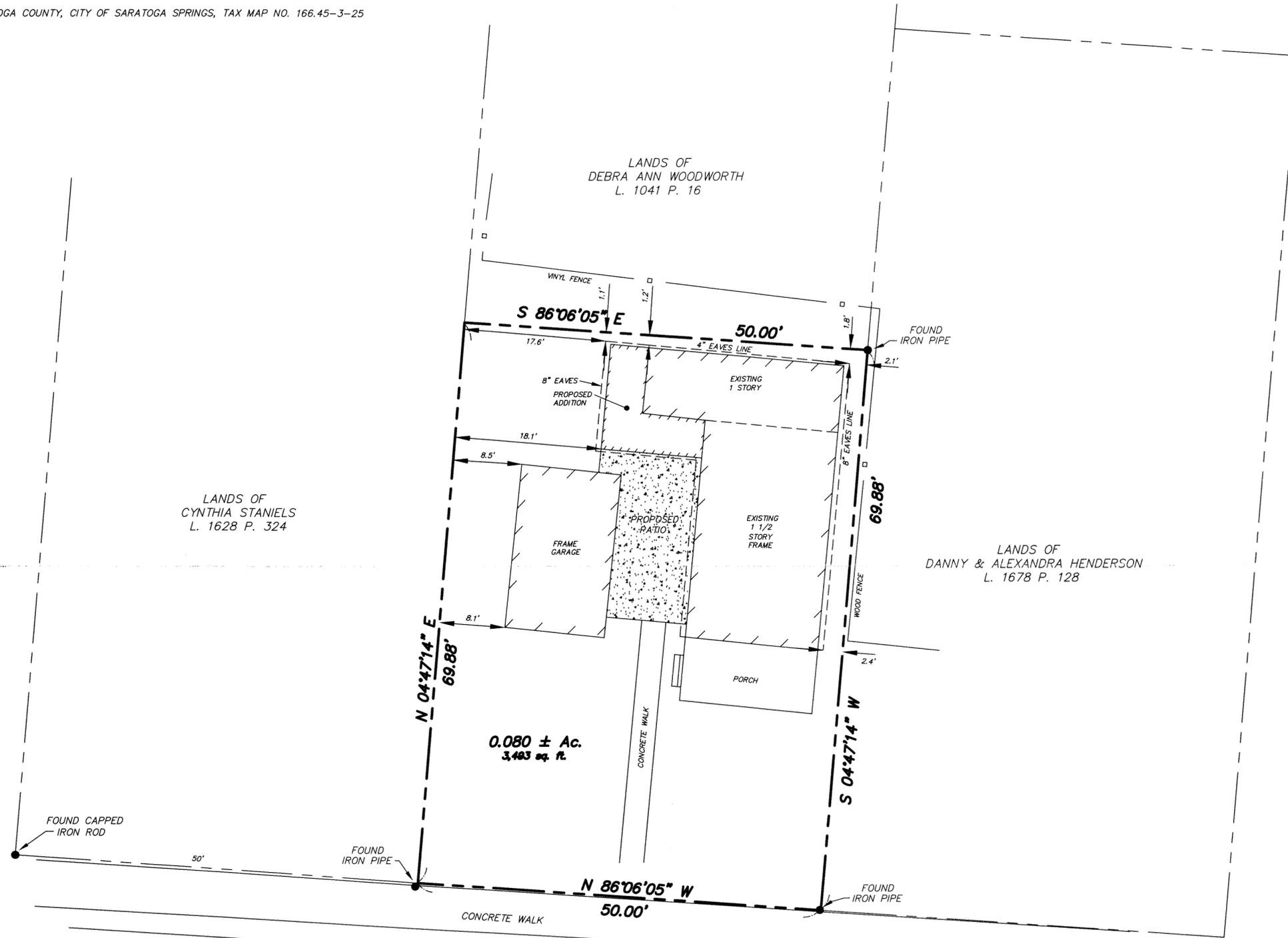
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SEAL:  
 05/05/16

MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166.45-3-25



**MAP OF SURVEY**  
 OF LANDS OF  
**C. CHRISTOPHER ARMER &**  
**TERI DeSORBO**

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK  
 SCALE: 1" = 10'      DATE: OCTOBER 21, 2014

UPDATED NOVEMBER 18, 2015 TO SHOW PROPOSED ADDITION  
 UPDATED APRIL 11, 2016 TO SHOW EAVES

**LEGEND:**

- FOUND IRON MARKER
- SET IRON ROD WITH CAP
- ⊕ UTILITY POLE
- E— POWER LINE
- ∞∞∞∞ STONE WALL
- x-x- FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

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*William J. Rourke*  
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 Licensed Land Surveyors  
 299 Reservoir Road  
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14-91  
 JOB NO.

**W.J. ROURKE, ASSOCIATES - LICENSED LAND SURVEYORS**

299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828

**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) \_\_\_\_\_

| <u>Dimensional Requirements</u>  | <u>From</u> | <u>To</u>    |
|--|-------------|--------------|
| Side Setback   | 4 ft        | 2.8 to 3.1'  |
| <u>(Existing home currently has side setback proposed)</u>   |             |              |
| Rear Setback   | 25'         | 1.4' to 2.1' |
| <u>(existing home currently has rear setback of 1.5' to 2.1' - we are proposing an addition that is approx 5' wide and the corner would be 1" closer to property line.</u> |             |              |
| <u>LOT COVERAGE</u>  | <u>30%</u>  | <u>33.5%</u> |

Other: \_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

I have attempted to contact the property owner to the rear of this property who has an oversized lot. I have sent letters and knocked on the door many times and have had no response from either.  
We have explored other designs to try to make the home a bit larger to fit todays standards. The home is very narrow and we feel the small side addition adds much to using the still small square footage to its best use.

THE LOT COVERAGE COULD POSSIBLY BE ADDRESSED BY REDUCING THE SIZE OF THE FRONT PORCH. HOWEVER, IT WOULD REDUCE THE USABILITY OF THE PORCH AND IMPACT THE ARCHITECTURAL DESIGN

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The nearby neighborhood has many properties that do not fit the current setback requirements and therefore this property would not stand out as being out of character  
As mentioned , the bordering property to the rear has an oversized lot and the home on that property is very close to the far border leaving a large back yard. The bordering property to the East has a home that is also located at the far border(east) of its lot leaving yard in between the 2 properties therefore the homes would not be abnormally close to each other. The bordering property to the West is a double lot that runs between both Middle Ave and York. The portion of the property that borders our lot on Middle ave is used as a driveway. The proposed addition to our property would still be 18.2' from that property line. There is also an existing garage along the same property line that is 8.1' from the property line.

-THE LOT COVERAGE VARIANCE IS RATHER SMALL AND I BELIEVE IT WOULD NOT HAVE ANY NEGATIVE IMPACT ON THE NEIGHBORHOOD AS MANY PROPERTIES APPEAR TO COVER A LARGE PERCENTAGE OF THE LOTS.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The requested variance is not substantial because the only difference between the current setback of the existing structure and the proposed changes is only reduced by 1" on one corner of the home.

THE LOT COVERAGE VARIANCE IS NOT SUBSTANTIAL IN THAT IT IS ONLY 3% AND IS KEEPING IN CHARACTER WITH THE NEIGHBORHOOD. THE HOME IS ALSO TOWARDS THE BACK OF THE LOT AND ANY IMPACT WOULD NOT BE NOTICEABLE FROM THE STREET.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

There are many similar homes in the area that do not fit the current setback requirements and there will be little impact to neighboring properties.

THE REQUESTED LOT COVERAGE VARIANCE - WOULD HAVE NO ADVERSE EFFECT ON THE NEIGHBORHOOD OR DISTRICT BECAUSE IT IS MINIMAL (3%) AND IS KEEPING IN CHARACTER WITH THE NEIGHBORHOOD. IT WOULD MOST LIKELY NOT BE NOTICEABLE FROM THE STREET.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

This property was purchased knowing that variances would be required but none of the required variances needed are out of character for the surrounding area nor are they substantial.

THE LOT COVERAGE VARIANCE WOULD BE CONSIDERED SELF-CREATED IN THAT THE PLANS HAVE A SMALL ADDITION TO THE HOME. HOWEVER, THE HOME IS STILL OF A MINIMAL SIZE AND IS KEEPING IN CHARACTER WITH THE REST OF THE NEIGHBORHOOD.

Zimbra

lindsey.gonzalez@saratoga-springs.org

---

**Letter of support for 117 Middle Ave. Variance**

---

**From :** Gillian Black [REDACTED]

Mon, Apr 04, 2016 11:35 AM

**Subject :** Letter of support for 117 Middle Ave. Variance**To :** lindsey gonzalez <lindsey.gonzalez@saratoga-springs.org>

To Whom it May Concern,

We received notice that Chris Armer & Teri DeSorbo have applied for a variance. My wife Kathryn Strassner and I own the double lot property at [REDACTED] York Ave. Our driveway (and main entrance) is directly adjacent to the western border of 117 Middle Ave. While at first we were concerned that development may encroach on our privacy, after reviewing the proposed plans we fully support this project. The current structure at 117 Middle Ave. is an eyesore. We believe the proposed construction is in the best interest of our neighborhood and the City of Saratoga Springs, as it replaces a derelict structure and will bolster our local property values. Please grant them their variance.

Best Regards,  
Gillian Black

[REDACTED]

[REDACTED]

ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: CHRIS ARMER AND TERI DESORBO

TAX PARCEL NO.: 166.45-3-25

PROPERTY ADDRESS: 117 MIDDLE AVENUE  
ZONING DISTRICT: URBAN RESIDENTIAL – 3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of additions to an existing single-family residence.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

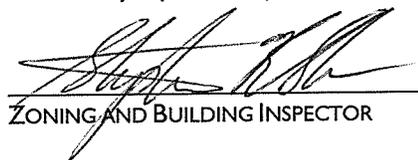
Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u>      | <u>From</u> | <u>To</u> |
|--------------------------------------|-------------|-----------|
| Minimum side yard setback:           | 4 feet      | 2.1 feet  |
| Minimum rear yard setback:           | 25 feet     | 1.1 feet  |
| Maximum principal building coverage: | 30%         | 33.5%     |

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

  
ZONING AND BUILDING INSPECTOR

6/3/16  
DATE



# CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway  
Saratoga Springs, New York 12866  
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]  
\_\_\_\_\_  
(Application #)  
\_\_\_\_\_  
(Date received)

## APPLICATION FOR: APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

|         | <u>APPLICANT(S)*</u>           | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u>   |
|---------|--------------------------------|------------------------------------|-------------------------|
| Name    | Christina / Christopher Barlow |                                    | Randy Heritage          |
| Address | [REDACTED]                     |                                    | HERITAGE FAMILY CONSTR. |
| Phone   | [REDACTED]                     | 1                                  | 518 588 1 0534          |
| Email   | [REDACTED]                     |                                    | [REDACTED]              |

\* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

### PROPERTY INFORMATION

1. Property Address/Location: 2 Cherry Tree Lane Saratoga Springs Tax Parcel No.: 167 - 1 - 61  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 2008 3. Zoning District when purchased: \_\_\_\_\_

4. Present use of property: Residence 5. Current Zoning District: \_\_\_\_\_

6. Has a previous ZBA application/appeal been filed for this property?  
 Yes (when? \_\_\_\_\_ For what? \_\_\_\_\_)  
 No

7. Is property located within (check all that apply):  Historic District  Architectural Review District  500' of a State Park, city boundary, or county/state highway? NA

8. Brief description of proposed action: Adding 2 car garage + breezeway

9. Is there a written violation for this parcel that is not the subject of this application?  Yes  No

10. Has the work, use or occupancy to which this appeal relates already begun?  Yes  No

11. Identify the type of appeal you are requesting (check all that apply):

- INTERPRETATION (p. 2)
- VARIANCE EXTENSION (p. 2)
- USE VARIANCE (pp. 3-6)
- AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

**INTERPRETATION** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request?  Use Variance  Area Variance

**EXTENSION OF A VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: \_\_\_\_\_ 2. Type of variance granted?  Use  Area

3. Date original variance expired: \_\_\_\_\_

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**AREA VARIANCE** – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) 2.3

Dimensional Requirements

From

To

30' SIDE SET BACK

30'

10'

Other: \_\_\_\_\_

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- 1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

There are no other alternatives than to place a 2 car garage where proposed. Needs to be next to current driveway of existing garage.

- 2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

It would not create an undesirable change. Most of our neighbors have 3-4 car garages, while we only have a 2 car garage. Adding the additional garage will make our house more consistent with the other houses on our street.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

We are a family of 5. We need the additional garage space for our children's vehicles & for pool <sup>furniture</sup> storage. If we don't add garage, we'll have to park additional cars on grass which would be more problematic for our neighbors.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

Will not have adverse physical or environmental effects:

①: ~~of~~ additional vehicles stored in garage rather than on road or yard.

② Pool furniture stored in garage & not on property.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

Our house was placed on property by our builder. We didn't realize house close one side of our house / driveway is to property line.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  No  Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Christine Le Beau  
(applicant signature)

Date: 3-25-16

[Signature]  
(applicant signature)

Date: 3-25-16

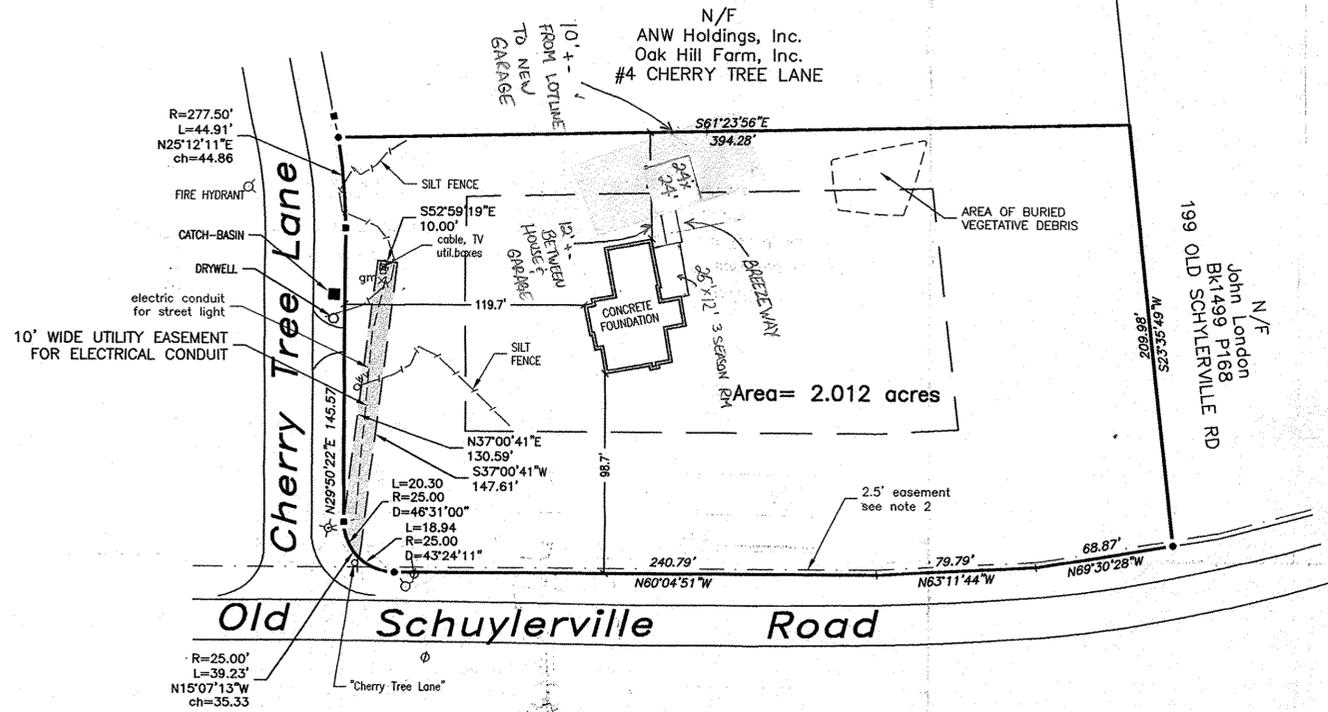
If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Certification :**

IT IS HEREBY CERTIFIED TO:  
 KRISTOPHER J. BARLOW AND CHRISTINA U. BARLOW;  
 MONROE TITLE INSURANCE CORPORATION;  
 SARATOGA NATIONAL BANK & TRUST COMPANY, ITS SUCCESSORS  
 AND/OR ASSIGNS  
 that the map was prepared in accordance with the current existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, the governmental agency, and to the lending institution listed on this boundary survey map.

**Map Legend**

- 5/8" steel rod set with a tag
- o marker found, labeled
- ∅ utility pole
- ⊗ lamp post

**Deed Reference:**

Kristopher J. Barlow  
 and Christina U. Barlow  
 Deed # 2008030221

**Map Reference:**

Filed Saratoga County Map 0-107  
 and C-453A-D.

**Notes :**

1. Subject to certain Declarations of Covenants, Restrictions and Easements as recorded in Liber 1443, page 549.
2. A blanket access/utility easement 2.5' wide along Old Schuylerville Road is granted to the City of Saratoga Springs.
3. A no-cut buffer being 20' wide along N.Y.S. Route 29 exists. Trimming and thinning of small trees and brush (less than 5" diameter) will be allowed.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.

|         |                         |  |  |  |
|---------|-------------------------|--|--|--|
|         |                         |  | Foundation Survey<br>for<br><b>Kristopher J. and Christina U. Barlow</b><br>Situate at<br><b>2 Cherry Tree Lane</b><br>City of Saratoga Springs, Saratoga County, N.Y.S. |  |
| 10/3/08 | SILT FENCE, VEG. DEBRIS |  | 12 Lake Avenue<br>Saratoga Springs,<br>NY, 12866<br>Tel: 518-587-5665<br>Fax: 518-587-5772   |  |
| 10/2/08 | FOUNDATION              |  |  |  |
| 8/19/08 | PROPOSED SEPTIC TANK    |  |  |  |
| 8/13/08 | PROPOSED SEPTIC SYSTEM  |  |  |  |
| DATE    | REVISION                |  | DATE: June 24, 2008<br>TAX MAP: 167-1-61<br>SURVEYED BY: WMT<br>JOB NUMBER: S99-18402.17   |  |



PURPOSED GARAGE & BREEZEWAY  
(24' x 24')

EXISTING GARAGE/HOUSE

SCALE 3/8" = 1'







ZONING AND BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: CHRISTINA & KRISTOPHER BARLOW

TAX PARCEL NO.: 167.-1-61

PROPERTY ADDRESS: 2 CHERRY TREE LANE  
ZONING DISTRICT: RURAL RESIDENTIAL

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of an attached garage and breezeway.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

Extension of existing variance     Interpretation

Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

| <u>Dimensional Requirements</u>   | <u>From</u>   | <u>To</u>     |
|-----------------------------------|---------------|---------------|
| <u>Minimum side yard setback:</u> | <u>30 ft.</u> | <u>10 ft.</u> |

Note: \_\_\_\_\_

Advisory Opinion required from Saratoga County Planning Board

  
\_\_\_\_\_  
ZONING AND BUILDING INSPECTOR

5/5/16  
\_\_\_\_\_  
DATE